

**SENATE—Wednesday, October 11, 2000***(Legislative day of Friday, September 22, 2000)*

The Senate met at 9:32 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. The Chaplain will now deliver the opening prayer.

**PRAYER**

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

The Psalmist gives us a timely word for this pressured week, "Cast your burden on the Lord, and He will sustain you."—Psalm 55:22.

Let us pray.

Gracious God, we come to You with our burdens. You know that we all carry both personal and professional burdens. Beneath the surface of studied composure, we all have loved ones for whom we are concerned, friends who are troubled, and unresolved problems about which we find it difficult to stop worrying.

At many different levels, we feel the tension of finishing the work of the 106th Congress. The election approaches with additional burdens for Senators running for reelection. Challenges here do not let up, and the problems in the state mount up. Meanwhile, peace of mind is up for grabs as we struggle with differing agendas for the legislation before the Senate.

Lord, could it be that if we all—Republicans and Democrats, Senators and staff—stopped in our tracks and really asked for Your help, You would intervene and help this Senate achieve unity with both excellence and efficiency? In our heart of hearts we know You would, and will, if we ask You with a united voice of earnestness. Dear God, bless this Senate. We relinquish our control and ask You to take charge. It's hard to be willing, but we are willing to allow You to make us willing. You are our Lord and Saviour. Amen.

**PLEDGE OF ALLEGIANCE**

The Honorable MIKE CRAPO, a Senator from the State of Idaho, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**RECOGNITION OF THE ACTING MAJORITY LEADER**

The PRESIDENT pro tempore. The Senator from Kansas is recognized.

**SCHEDULE**

Mr. BROWNBACK. Mr. President, today the Senate will begin debate on the conference report to accompany H.R. 3244, the sex trafficking victims legislation. I want to start this discussion and debate off with thanking my good friend and colleague, Senator PAUL WELLSTONE. He and I have worked together on this bill the entire year. We have come at this from different points of view. I think we have worked together and come up with an excellent proposal and package. I hope for unanimous support from the Senate.

We got near that in the House, with a vote of 377-1. I have spoken with that one person who deeply regrets voting against us on this bill. It was actually for another provision that was in the bill. This is an important piece of legislation.

The sex trafficking victims legislation is here under a previous order, and there will be up to 7 hours of debate on the conference report we are going to discuss. Senator THOMPSON will raise a point of order against the report and is expected to appeal the ruling of the Chair. Therefore, a vote on the appeal, as well as a vote on adoption of the conference report, is expected to occur during this afternoon's session. The Senate will also consider the VA-HUD appropriations bill and the conference report to accompany the Agriculture appropriations bill, with votes on both expected to occur prior to today's adjournment.

I thank my colleagues for their attention.

**RESERVATION OF LEADER TIME**

The PRESIDING OFFICER (Mr. CRAPO). Under the previous order, leadership time is reserved.

**TRAFFICKING VICTIMS PROTECTION ACT OF 2000—CONFERENCE REPORT**

The PRESIDING OFFICER. The Senate will now proceed to the conference report accompanying H.R. 3244.

The clerk will report the conference report.

The legislative clerk read as follows:

The Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate on the bill, H.R. 3244, an act to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions, in the United States and countries around the world through pre-

vention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking, having met, have agreed that the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

The PRESIDING OFFICER. The Senate will proceed to the consideration of the conference report.

(The report was printed in the House proceedings of the RECORD of October 5, 2000.)

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, I believe under the uniform unanimous consent agreement that we have, time has been allocated to several different Members of the Senate to speak on this conference report; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. BROWNBACK. Mr. President, let me start this debate and discussion with the story of Irina. Irina's story appeared in the New York Times not that long ago, and it is similar to the story of a number of women with whom I have met and who have been caught in this situation of sex trafficking—young ladies I met with in Nepal, and several testified in committee. I think Irina's story tells in graphic detail why this is a problem and why the Senate needs to act.

Irina always assumed that her beauty would somehow rescue her from the poverty and hopelessness of village life. A few months ago, after answering a vague ad in a small Ukrainian newspaper, she slipped off a tour boat when it put in at Haifa, hoping to make a bundle dancing naked on the tops of tables.

She was 21, self-assured and glad to be out of Ukraine. Israel offered a new world, and for a week or two everything seemed possible. Then, one morning, she was driven to a brothel, where her boss burned her passport before her eyes.

"I own you," she recalled his saying. "You are my property and you will work until you earn your way out. Don't try to leave. You have no papers and you don't speak Hebrew. You will be arrested and deported. Then we will get you and bring you back."

That was her master. The article goes on.

It happens every single day. Not just in Israel, which has deported nearly 1,500 Russian and Ukrainian women like Irina in the past three years. But throughout the world, where selling naive and desperate young women into sexual bondage has become one of the fastest-growing criminal enterprises in the robust global economy.

... Many end up like Irina. Stunned and outraged by the sudden order to prostitute

herself, she simply refused. She was beaten and raped before she succumbed. Finally she got a break. The brothel was raided and she was brought here [to another place], the only women's prison in Israel. Now, like hundreds of Ukrainian and Russian women with no documents or obvious forgeries, she is waiting to be sent home.

This is a quote from Irina:

"I don't think the man who ruined my life will even be fined," she said softly, slow tears filling her enormous green eyes. "You can call me a fool for coming here. That's my crime. I am stupid. A stupid girl from a little village. But can people really buy and sell women and get away with it? Sometimes I sit here and ask myself if that really happened to me, if it can really happen at all."

Then, waving her arm toward a muddy prison yard, where Russian is spoken more commonly than Hebrew, she whispered one last thought: "I am not the only one, you know. They have ruined us all."

I ask unanimous consent to have printed in the RECORD the full text of this article.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TRAFFICKERS' NEW CARGO: NAÏVE SLAVIC WOMEN

(By Michael Specter)

RAMLE, ISRAEL.—Irina always assumed that her beauty would somehow rescue her from the poverty and hopelessness of village life. A few months ago, after answering a vague ad in a small Ukrainian newspaper, she slipped off a tour boat when it put in at Haifa, hoping to make a bundle dancing naked on the tops of tables.

She was 21, self-assured and glad to be out of Ukraine. Israel offered a new world, and for a week or two everything seemed possible. Then, one morning, she was driven to a brothel, where her boss burned her passport before her eyes.

"I own you," she recalled his saying. "You are my property and you will work until you earn your way out. Don't try to leave. You have no papers and you don't speak Hebrew. You will be arrested and deported. Then we will get you and bring you back."

It happens every single day. Not just in Israel, which has deported nearly 1,500 Russian and Ukrainian women like Irina in the past three years. But throughout the world, where selling naïve and desperate young women into sexual bondage has become one of the fastest-growing criminal enterprises in the robust global economy.

The international bazaar for women is hardly new, of course. Asians have been its basic commodity for decades. But economic hopelessness in the Slavic world has opened what experts call the most lucrative market of all to criminal gangs that have flourished since the fall of Communism: white women with little to sustain them but their dreams. Pimps, law enforcement officials and relief groups all agree that Ukrainian and Russian women are now the most valuable in the trade.

Because their immigration is often illegal—and because some percentage of the women choose to work as prostitutes—statistics are difficult to assess. But the United Nations estimates that four million people throughout the world are trafficked each year—forced through lies and coercion to work against their will in many types of servitude. The International Organization for Migration has said that as many as 500,000

women are annually trafficked into Western Europe alone.

Many end up like Irina. Stunned and outraged by the sudden order to prostitute herself, she simply refused. She was beaten and raped before she succumbed. Finally she got a break. The brothel was raided and she was brought here to Neve Tirtsa in Ramle, the only women's prison in Israel. Now, like hundreds of Ukrainian and Russian women with no documents or obvious forgeries, she is waiting to be sent home.

"I don't think the man who ruined my life will even be fined," she said softly, slow tears filling her enormous green eyes. "You can call me a fool for coming here. That's my crime. I am stupid. A stupid girl from a little village. But can people really buy and sell women and get away with it? Sometimes I sit here and ask myself if that really happened to me, if it can really happen at all."

Then, waving her arm toward the muddy prison yard, where Russian is spoken more commonly than Hebrew, she whispered one last thought: "I'm not the only one, you know. They have ruined us all."

TRAFFIC PATTERNS: RUSSIA AND UKRAINE  
SUPPLY THE FLESH

Centered in Moscow and the Ukrainian capital, Kiev, the networks trafficking women run east to Japan and Thailand, where thousands of young Slavic women now work against their will as prostitutes, and west to the Adriatic Coast and beyond. The routes are controlled by Russian crime gangs based in Moscow. Even when they do not specifically move the women overseas, they provide security, logistical support, liaison with brothel owners in many countries and, usually, false documents.

Women often start their hellish journey by choice. Seeking a better life, they are lured by local advertisements for good jobs in foreign countries at wages they could never imagine at home.

In Ukraine alone, the number of women who leave is staggering. As many as 400,000 women under 30 have gone in the past decade, according to their country's Interior Ministry. The Thai Embassy in Moscow, which processes visa applications from Russia and Ukraine, says it receives nearly 1,000 visa applications a day, most of these from women.

Israel is a fairly typical destination. Prostitution is not illegal here, although brothels are, and with 250,000 foreign male workers—most of whom are single or here without their wives—the demand is great. Police officials estimate that there are 25,000 paid sexual transactions every day. Brothels are ubiquitous.

None of the women seem to realize the risks they run until it is too late. Once they cross the border their passports will be confiscated, their freedoms curtailed and what little money they have taken from them at once.

"You want to tell these kids that if something seems too good to be true it usually is," said Lyudmilla Biryuk, a Ukrainian psychologist who has counseled women who have escaped or been released from bondage. "But you can't imagine what fear and real ignorance can do to a person."

The women are smuggled by car, bus, boat and plane. Handed off in the dead of night, many are told they will pick oranges, work as dancers or as waitresses. Others have decided to try their luck at prostitution, usually for what they assume will be a few lucrative months. They have no idea of the violence that awaits them.

The efficient, economically brutal routine—whether here in Israel, or in one of a

dozen other countries—rarely varies. Women are held in apartments, bars and makeshift brothels; there they service, by their own count, as many as 15 clients a day. Often they sleep in shifts, four to a bed. The best that most hope for is to be deported after the police finally catch up with their captors.

Few ever testify. Those who do risk death. Last year in Istanbul, Turkey, according to Ukrainian police investigators, two women were thrown to their deaths from a balcony while six of their Russian friends watched.

In Serbia, also last year, said a young Ukrainian woman who escaped in October, a woman who refused to work as a prostitute was beheaded in public.

In Milan a week before Christmas, the police broke up a ring that was holding auctions in which women abducted from the countries of the former Soviet Union were put on blocks, partially naked, and sold at an average price of just under \$1,000.

"This is happening wherever you look now," said Michael Platzer, the Vienna-based head of operations for the United Nations' Center for International Crime Prevention. "The mafia is not stupid. There is less law enforcement since the Soviet Union fell apart and more freedom of movement. The earnings are incredible. The overhead is low—you don't have to buy cars and guns. Drugs you sell once and they are gone. Women can earn money for a long time."

"Also," he added, "the laws help the gangsters. Prostitution is semilegal in many places and that makes enforcement tricky. In most cases punishment is very light."

In some countries, Israel among them, there is not even a specific law against the sale of human beings.

Mr. Platzer said that although certainly "tens of thousands" of women were sold into prostitution each year, he was uncomfortable with statistics since nobody involved has any reason to tell the truth.

"But if you want to use numbers," he said, "think about this. Two hundred million people are victims of contemporary forms of slavery. Most aren't prostitutes, of course, but children in sweatshops, domestic workers, migrants. During four centuries, 12 million people were believed to be involved in the slave trade between Africa and the New World. The 200 million—and many of course are women who are trafficked for sex—is a current figure. It's happening now. Today."

DISTRESS CALLS: FAR-FLUNG VICTIMS PROVIDE  
FEW CLUES

The distress call came from Donetsk, the bleak center of coal production in southern Ukraine. A woman was screaming on the telephone line. Her sister and a friend were prisoners in a bar somewhere near Rome. They spoke no Italian and had no way out, but had managed, briefly, to get hold of a man's cell phone.

"Do you have any idea where they are, exactly?" asked Olga Shved, who runs La Strada in Kiev, Ukraine's new center dedicated to fighting the trafficking of women in Eastern Europe and the countries of the former Soviet Union.

The woman's answer was no. Ms. Shved began searching for files and telephone numbers of the local consul, the police, anybody who could help.

"Do they know how far from Rome they are?" she asked, her voice tightening with each word. "What about the name of the street or bar? Anything will help," she said, jotting notes furiously as she spoke. "We can get the police on this, but we need something. If they call back, tell them to give us a clue. The street number. The number of a bus that runs past. One thing is all we need."

Ms. Shved hung up and called officials at Ukraine's Interior Ministry and the Foreign Ministry. Her conversations were short, direct and obviously a routine part of her job. That is because Ukraine—and to a lesser degree its Slavic neighbors Russia and Belarus—has replaced Thailand and the Philippines as the epicenter of the global business in trafficking women. The Ukrainian problem has been worsened by a ravaged economy, an atrophied system of law enforcement, and criminal gangs that grow more brazen each year. Young European women are in demand, and Ukraine, a country of 51 million people, has a seemingly endless supply. It is not that hard to see why.

Neither Russia nor Ukraine reports accurate unemployment statistics. But even partial numbers present a clear story of chaos and economic dislocation. Federal employment statistics in Ukraine indicate that more than two-thirds of the unemployed are women. The Government also keeps another statistic: employed but not working. Those are people who technically have jobs, and can use company amenities like day-care centers and hospitals. But they do not work or get paid. Three-quarters are women. And of those who have lost their jobs since the Soviet Union dissolved in 1991, more than 80 percent are women.

The average salary in Ukraine today is slightly less than \$30 a month, but it is half that in the small towns that criminal gangs favor for recruiting women to work abroad. On average, there are 30 applicants for every job in most Ukrainian cities. There is no real hope; but there is freedom.

In that climate, looking for work in foreign countries has increasingly become a matter of survival.

"It's no secret that the highest prices now go for the white women," said Marco Buffo, executive director of On the Road, an anti-trafficking organization in northern Italy. "They are the novelty item now. It used to be Nigerians and Asians at the top of the market. Now it's the Ukrainians."

Economics is not the only factor causing women to flee their homelands. There is also social reality. For the first time, young women in Ukraine and Russia have the right, the ability and the willpower to walk away from their parents and their hometowns. Village life is disintegrating throughout much of the former Soviet world, and youngsters are grabbing any chance they can find to save themselves.

"After the wall fell down, the Ukrainian people tried to live in the new circumstances," said Ms. Shved. "It was very hard, and it gets no easier. Girls now have few and opportunities yet great freedom. They see 'Pretty Woman,' or a thousand movies and ads with the same point, that somebody who is rich can save them. The glory and ease of wealth is almost the basic point of the Western advertising that we see. Here the towns are dying. What jobs there are go to men. So they leave."

First, however, they answer ads from employment agencies promising to find them work in a foreign country. Here again, Russian crime gangs play a central role. They often recruit people through seemingly innocuous "mail order bride" meetings. Even when they do not, few such organizations can operate without paying off one gang or another. Sometimes want ads are almost honest, suggesting that the women earn up to \$1,000 a month as "escorts" abroad. Often they are vague or blatantly untrue.

RECRUITING METHODS: ADS MAKE OFFERS TOO GOOD TO BE TRUE

One typical ad used by traffickers in Kiev last year read: "Girls: Must be single and

very pretty. Young and tall. We invite you for work as models, secretaries, dancers, choreographers, gymnasts. Housing is supplied. Foreign posts available. Must apply in person."

One young woman who did, and made it back alive, described a harrowing journey. "I met these guys and they asked if I would work at a strip bar," she said. "Why not, I thought. They said we would have to leave at once. We went by car to the Slovak Republic where they grabbed my passport. I think they got me new papers there, but threatened me if I spoke out. We made it to Vienna, then to Turkey. I was kept in a bar and I was told I owed \$5,000 for my travel. I worked for three days, and on the fourth I was arrested."

Lately, the ads have started to disappear from the main cities—where the realities of such offers are known now. These days the appeals are made in the provinces, where their success is undiminished.

Most of the thousands of Ukrainian women who go abroad each year are illegal immigrants who do not work in the sex business. Often they apply for a legal visa—to dance, or work in a bar—and then stay after it expires.

Many go to Turkey and Germany, where Russian crime groups are particularly powerful. Israeli leaders say that Russian women—they tend to refer to all women from the former Soviet Union as Russian—disappear off tour boats every day. Officials in Italy estimate that at least 30,000 Ukrainian women are employed illegally there now.

Most are domestic workers, but a growing number are prostitutes, some of them having been promised work as domestics only to find out their jobs were a lie. Part of the problem became clear in a two-year study recently concluded by the Washington-based nonprofit group Global Survival Network: police officials in many countries just don't care.

The network, after undercover interviews with gangsters, pimps and corrupt officials, found that local police forces—often those best able to prevent trafficking—are least interested in helping.

Gillian Caldwell of Global Survival Network has been deeply involved in the study. "In Tokyo," she said, "a sympathetic senator arranged a meeting for us with senior police officials to discuss the growing prevalence of trafficking from Russia into Japan. The police insisted it wasn't a problem, and they didn't even want the concrete information we could have provided. That didn't surprise local relief agencies, who cited instances in which police had actually sold trafficked women back to the criminal networks which had enslaved them."

OFFICIAL REACTIONS: BEST-PLACED TO HELP, BUT LEAST INCLINED

Complacency among police agencies is not uncommon.

"Women's groups want to blow this all out of proportion," said Gennadi V. Lepenko, chief of Kiev's branch of Interpol, the international police agency. "Perhaps this was a problem a few years ago. But it's under control now."

That is not the view at Ukraine's Parliament—which is trying to pass new laws to protect young women—or at the Interior Ministry.

"We have a very serious problem here and we are simply not equipped to solve it by ourselves," said Mikhail Lebed, chief of criminal investigations for the Ukrainian Interior Ministry. "It is a human tragedy, but also, frankly, a national crisis. Gangsters

make more from these women in a week than we have in our law enforcement budget for the whole year. To be honest, unless we get some help we are not going to stop it."

But solutions will not be simple. Criminal gangs risk little by ferrying women out of the country; indeed, many of the women go voluntarily. Laws are vague, cooperation between countries rare and punishment of traffickers almost nonexistent. Without work or much hope of a future at home, an eager teenager will find it hard to believe that the promise of a job in Italy, Turkey or Israel is almost certain to be worthless.

"I answered an ad to be a waitress," said Tamara, 19, a Ukrainian prostitute in a massage parlor near Tel Aviv's old Central Bus Station, a Russian-language ghetto for the cheapest brothels. "I'm not sure I would go back now if I could. What would I do there, stand on a bread line or work in a factory for no wages?"

Tamara, like all other such women interviewed for this article, asked that her full name not be published. She has classic Slavic features, with long blond hair and deep green eyes. She turned several potential customers away so she could speak at length with a reporter. She was willing to talk as long as her boss was out. She said she was not watched closely while she remained within the garish confines of the "health club."

"I didn't plan to do this," she said, looking sourly at the rich red walls and leopard prints around her. "They took my passport, so I don't have much choice. But they do give me money. And believe me, it's better than anything I could ever get at home."

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Mr. BROWNBACK. Mr. President, Irina's story is told all too often and is reenacted all too often around the world today. Our Government estimates that between 600,000 and 2 million women are trafficked each year beyond international borders. They are trafficked for the purpose of sexual prostitution by organized crime units and groups that are aggressively out making money off the trafficking of human flesh. It is wrong. This bill seeks to deal with that wrong and that tragedy that has occurred and is occurring around the world today.

This is significant human rights legislation that this body is going to pass. I hope, predict, and pray that it will pass today. It is significant human rights legislation for those poor young victims who are trafficked and who are caught sometimes with the view that, "I am just stupid, I got caught in this," but who live this horrible, hellish life they have been put into and trafficked into and can't find their way out.

The conference report is entitled "The Victims of Trafficking and Violence Protection Act of 2000." As I mentioned previously, it passed the House of Representatives on Friday, October 6, by a vote of 371-1.

The Senate will vote on this conference report today, with the lead underlying bill being the Brownback-Wellstone anti-trafficking legislation. Senator WELLSTONE and I have been working for the last year on this legislation, which is a companion to the

Smith-Gejdenson bill in the House known as the Trafficking Victims Protection Act of 2000.

I want to thank and recognize my staff, Sharon Payt and Karen Knutson, two people who have worked tirelessly and endlessly to deal with this particular issue.

Our anti-trafficking bill is the first complete legislation to address the growing practice of international "trafficking" worldwide. This is one of the largest manifestations of modern-day slavery internationally. Notably, this legislation is the most significant human rights bill of the 106th Congress, if passed today, as hoped for. This is also the largest anti-slavery bill that the United States has adopted since 1865 and the demise of slavery at the end of the Civil War. Therefore, I greatly anticipate this vote today in the Senate on this legislation.

Senator WELLSTONE's and my trafficking bill, which passed in the Senate on July 27 of this year, was conferred to reconcile the differences with the House bill, and the conference report was filed on October 5, Thursday, of last week. The final conference package contains four additional pieces of legislation which are substantially appropriate to our bill. Most significant among those bill amendments is the Violence Against Women Act, known as VAWA, which provides relief and assistance to those who suffer domestic violence in America. Thus, the additional four bills included in this conference report include the Violence Against Women Act. This is a reauthorization of the initial bill which was passed in 1994 as part of the Omnibus Crime Control Act; this legislation renews several grant programs to assist law enforcement officers, social service providers, and others dealing with sexual crime and domestic violence.

Also in this package is Aimee's law, which provides for interstate compensation for the costs of incarceration of early-release sex offenders who commit another sex crime in a second State. It is based on the circumstances of what happened in a Pennsylvania case where a murderer was released early out of a Nevada prison, went to Pennsylvania, and kidnapped and brutally raped and murdered a young girl there who was in the very flower of life and coming forth. This law is built upon that terrible crime that took place in Pennsylvania.

Also in this package is the 21st Amendment Enforcement Act, which allows for State attorneys general to enforce their State alcohol control laws in Federal court, including laws prohibiting sales to minors, which strengthens the grant of authority to States under the 21st amendment to the Constitution; and the Justice for Victims of Terrorism Act, which authorizes the payment of foreign seized assets to American victims of international terrorism.

The last step to adopting this legislative package in Congress rests with the Senate today.

Before I continue describing this urgently needed legislation, I would like to take a few moments to thank some key people who have brought us to this point today. Some of them are in the Galleries as I speak. They are people of heart, courage, and intelligence whose advocacy made a way for this bill—whose dedication pried open the doors and let the light shine into this darkness. Among them is Senator WELLSTONE who started this work long before I came on board. He and his wife, most notably, 3 years ago started advocating on this particular issue. I know he stands firmly and strongly today as one of the principal advocates to set this aside, and he brought this forward and seeks to go forward from here to help those who are victims of these crimes.

I also thank Congressmen CHRIS SMITH and SAM GEJDENSON. I would also like to thank Gary Haugen of the International Justice Mission and Dr. Laura Lederter of the Protect Project at Johns Hopkins University. Dr. Laura Lederter of the Protect Project at Johns Hopkins University is the foremost authority in the country on tracking from where and to where these victims are trafficked.

I have up here one of the maps she introduced of women who have been trafficked out of Russia and Ukraine with the fall of the Soviet Union. With the increased travel out of there to freedom, we have seen a huge amount of trafficking also taking place. These are the routes out of Russia and Ukraine and where they go—to Canada, to the United States, to Mexico, to Europe, to Africa and Asia, to Australia and New Zealand. This is the work of her project.

I also want to thank Michael Horowitz of the Hudson Institute, and Gloria Steinem, whom I am not noted to thank, is part of this coalition; Chuck Colson, Jessica Neuwirth, William Bennett, the National Association of Evangelicals, the Southern Baptist Convention, among others I'm sure I'm forgetting. I would also like to thank the staff for both the Senate and House, including Joseph Rees, David Abramowitz, Charlotte Oldham-Moore, Jill Hickson, Mark Lagon, and my staff Karen Knutson and Sharon Payt. Thank you all. We are here today at final passage because of all your efforts.

This legislation is our best opportunity to challenge the largest manifestation of slavery worldwide, known as "trafficking." This practice of trafficking involves the coercive transportation of persons into slavery-like conditions, primarily involving forced prostitution, among other forms of slavery-like conditions.

Trafficking is the new slavery of the world. These victims are routinely

forced against their will into the sex trade, transported across international borders, and left defenseless in a foreign country. This bill also addresses the insidious practice known as "debt bondage," wherein a person can be enslaved to the money lender for an entire lifetime because of a \$50 debt taken by the family for an emergency. This is a common practice in countries throughout the South Asian region.

People of conscience have fought against the different manifestations of slavery for centuries. This anti-slavery legislation is in the tradition of William Wilberforce and Amy Carmichael of England, who were ardent abolitionists against different forms of slavery. Amy Carmichael was a British missionary to India at the turn of last century, in the early 1900's. Upon arrival, she was mortified to discover the routine practice of forced temple prostitution. This was and continues to be a practice wherein young girls, from age six onward, are dedicated to the local temple, and are then forced into prostitution against their will to generate income. Upon this morbid discovery, Amy Carmichael began to physically steal the young girls away from this incredibly degrading form of slavery, hiding the girls to escape the inevitable backlash of violence. Eventually, the government outlawed this practice of forced temple prostitution, as a result of her efforts. However, it bears noting that this terrible practice continues today, in a lesser degree, in rural villages throughout South Asia, including India.

This bill challenges the myriad forms of slavery including sex trafficking, temple prostitution, and debt bondage, among other forms.

This new phenomenon of sex trafficking is growing exponentially. Some report that it is, at least, \$7 billion per year illicit trade, exceeded only by the international drug and arms trade. Its victims are enslaved into a devastating brutality against their will, with no hope for release or justice, while its perpetrators build criminal empires on this suffering with impunity. Our legislation will begin to challenge these injustices.

This is the new slavery of the world, Dr. Kevin Bales of the University of Surrey in England recently testified for us before the Senate Foreign Relations Committee. He astutely observed that the new slavery has a peculiar quality which does not look like the old forms associated with lifetime bondage as a chattel slave, but it is slavery nonetheless.

Sex trafficking is among the most common forms of the new slavery and typically entails shorter periods of bondage, usually asking for 5 to 6 years, or whenever something like AIDS or tuberculosis is contracted, after which the victim is thrown out on the street, broken, without community

or resources, left to die. I have met with people caught in that condition.

Women and children are routinely forced against their will. Sex traffickers favor girls aging in the range of 10 to 13.

I have a number of other things I could say, but my time is limited. I know a number of people want to speak on this bill. I ask to reserve the remainder of my time. I will turn the floor over to Senator WELLSTONE.

I ask unanimous consent on any quorum calls that might be called during the discussion of this conference report, that time be allotted and assessed against all allocated time to speak under the bill, including myself and Senator WELLSTONE, along with Senator BIDEN, Senator HATCH, and Senator LEAHY, who have all been allocated time. I ask the quorum calls be equally divided between those who have time under the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. I finally note to others who seek to speak on this bill, I invite Members to come to the floor to make comments. At the conclusion of our presentation, a vote will occur on this conference report.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I thank the Chair.

I thank my colleague, Senator BROWNBACK, for his very gracious remarks. It has been an honor to work with him on this legislation. I think a very strong friendship has come out of this effort. There are some times when we can work and reach out and have the most interesting and I hope important coalition. Working with Senator BROWNBACK, Sharon Payt, and Karen Knutson has been the best legislative work. At the end of the day, I believe today we will pass this legislation. Members can feel they have done something really good. They can make a positive difference. I thank Senator BROWNBACK for his great leadership and his great work for each step along the way. In all the negotiations, all the work that has been done, the Senator has been there. I thank the Senator.

I want to talk about Charlotte Oldham-Moore and Jill Hickson, who have worked with me and our staff, who have done a great job. There are other people who will be on the floor who put this together—especially the Violence Against Women Act—Senator LEAHY, Senator BIDEN, Senator HATCH, and others, and SAM GEJDENSON and CHRIS SMITH have been phenomenal. I thank them for their yeoman work on the House side. I also thank Frank Loy and Harold Koh at the State Department for their work.

The trafficking of human beings for forced prostitution and sweatshop labor is a rapidly growing human

rights abuse. It is one of the greatest aspects of the globalization of the world economy. The Victims of Trafficking and Violence Protection Act of 2000 is the first piece of legislation to address the widespread practice of the trafficking of men, women, and children into sweatshop labor and sexual bondage.

My wife Sheila urged me to do something about this problem several years ago. Consequently, she and I spent time with women trafficked from the Ukraine to work in brothels in Western Europe and the United States. They told us after the breakup of the Soviet Union and the ascendancy of the mob, trafficking in women and girls became a booming industry that destroyed the lives of the youngest and most vulnerable in their home countries.

We began work on the bill then, and 3 years later, after extraordinary bipartisan effort, tremendous leadership from Senators BROWNBACK and LEAHY, and SAM GEJDENSON and CHRIS SMITH, and others, it passed the House with a vote of 371-1. Now it is poised to pass the Senate.

Our Government estimates that 2 million people are trafficked each year. Of those, 700,000 women and children, primarily young girls, are trafficked from poor countries to rich countries and sold into slavery, raped, locked up, physically and psychologically abused, with food and health care withheld. Of those, as many as 50,000 immigrants are brought into the United States each year, and they wind up trapped in brothels, sweatshops, and other types of forced labor, abused and too fearful to seek help.

Traffickers exploit the unequal status of women and girls, including harmful stereotypes of women as property and sexual objects to be bought and sold. Traffickers have also taken advantage of the demand in our country and others for cheap, unprotected labor. For the traffickers, the sale of human beings is a highly profitable, low-risk enterprise as these women are viewed as expendable and reusable commodities.

Overall, profit in the trade can be staggering. It is estimated that the size of this business is \$7 billion annually, only surpassed by that of the illegal arms trade. Trafficking has become a major source of new income for criminal rings. It is coldly observed that drugs are sold once while a woman or a child can be sold 10 or 20 times a day.

In the United States, Thai traffickers who incarcerated Thai women and men in sweatshops in El Monte, CA, are estimated to have made \$8 million in 6 years. Further, Thai traffickers who enslaved Thai women in a New York brothel made about \$1.5 million over 1 year and 3 months.

Last year, Albanian women were kidnapped from Kosovo refugee camps and trafficked to work in brothels in Tur-

key and Europe. Closer to home, organized crime has trafficked Russian and Ukrainian women into sexually exploitive work in dozens of cities in the United States of America. Just next door, law enforcement authorities suspected mafia involvement in the gruesome murder of a Russian woman trafficked to Maryland.

All of these cases reflect a new condition: Women whose lives have been disrupted by civil wars or fundamental changes in political geography, such as the disintegration of the Soviet Union or the violence in the Balkans, have fallen prey to traffickers.

Seeking financial security, many innocent persons are lured by traffickers' false promises of a better life and lucrative jobs abroad. Seeking this better life, they are lured by local advertisements for good jobs in foreign countries at wages they could never imagine at home. However, when they arrive, these victims are often stripped of their passports, held against their will, some in slave-like conditions, in the year 2000.

Rape, intimidation, and violence are commonly employed by traffickers to control their victims and to prevent them from seeking help. Through physical isolation and psychological trauma, traffickers and brothel owners imprison women in a world of economic and sexual exploitation that imposes a constant threat of arrest and deportation, as well as violent reprisals by the traffickers themselves to whom the women must pay off ever-growing debts. That is the way this works.

Many brothel owners actually prefer foreign women, women who are far from help and from home, who do not speak the language, precisely because of the ease of controlling them. Most of these women never imagined they would enter such a hellish world, having traveled abroad to find better jobs or to see the world.

Many in their naivete believe nothing bad can happen to them in the rich and comfortable countries such as Switzerland or Germany or the United States. Others are less naive, but they are desperate for money and opportunity. But they are no less hurt by the trafficker's brutal grip.

Trafficking rings are often run by criminals operating through nominally reputable agencies. In some cases overseas, police and immigration officials of other nations participate and benefit from the trafficking. Lack of awareness or complacency among government officials such as border control and consular offices contributes to the problem. Furthermore, traffickers are rarely punished, as official policies often inhibit victims from testifying against their traffickers, making trafficking a highly profitable, low-risk business venture for some.

Trafficking abuses are occurring not just in far-off lands but here at home in

America as well. The INS has discovered 250 brothels in 26 different cities which involve trafficking victims. This is from a CIA report. This is the whole problem of no punishment—being able to do this with virtual impunity.

In a 1996 trafficking case involving Russian and Ukrainian women who answered ads to be au pairs, sales clerks and waitresses, and were forced to provide sexual services and live in a massage parlor in Bethesda, MD, the Russian-American massage parlor owner was fined. He entered a plea bargain and charges were dropped with the restriction that he would not operate a business again in Montgomery County. The women, who had not been paid any salary and were charged \$150 for their housing, were deported or left the United States voluntarily. There was no charge at all.

Teenage Mexican girls were held in slavery in Florida and the Carolinas, and they were forced to submit to prostitution.

Russian and Latvian women were forced to work in nightclubs in the Midwest. According to charges filed against the traffickers, the traffickers picked the women up upon their arrival at the airport, seized their documents and return tickets, locked them in hotels and beat them. This is in our country. The women were told that if they refused to work in sexually exploitive conditions, the Russian Mafia would kill their families. Furthermore, over a 3-year period, hundreds of women from the Czech Republic who answered advertisements in Czech newspapers for modeling were ensnared in an illegal prostitution ring.

Trafficking in persons for labor is an enormous problem as well. The INS has also worked on cases involving South Asian children smuggled into the United States to work in slavery-like conditions. In one case, about 100 Indian children, some of them as young as 9 or 10, were brought into New York and shuffled around the country to work in construction and restaurants—ages 9 and 10, in the United States; today, in the United States—2000.

Some of the children appear to have been sold by their parents to the traffickers. In Woodbine, MD, a pastor bought Estonian children, ages 14 to 17, promising them they would attend Calvary Chapel Christian Academy, but then forcing them to clean roach-infested apartments and to do construction. The children worked 15 hours a day. The children were threatened and punishments included denial of food and being forced to stand in one spot for prolonged periods.

The bitter irony is that quite often victims are punished more harshly than the traffickers because of their illegal immigration status, their serving as prostitutes, or their lack of documents, which the traffickers have confiscated in order to control the victims.

A review of the trafficking cases showed that the penalties were light and did not reflect the multitude of human rights abuses perpetrated against these women.

In a Los Angeles case, traffickers kidnapped a Chinese woman, raped her, forced her into prostitution, posted guards to control her movements, and burned her with cigarettes. Nevertheless, the lead defendants received 4 years and the other defendants received 2 and 3 years. That is what they received.

In a tragic case involving over 70 Thai laborers who had been held against their will, systematically abused, and made to work 20-hour shifts in a sweatshop, the seven defendants received sentences ranging from 4 to 7 years with one defendant receiving 7 months.

In another case where Asian women were kept physically confined for years with metal bars on the windows, guards, and an electronic monitoring system, and were forced to submit to sex with as many as 400 customers to repay their smuggling debt, the traffickers received 4 years and 9 years—in the United States of America, in the year 2000.

I thank Senator BROWNBACK for his work. It is important.

A review of the trafficking cases showed that the penalties were light and they did not reflect the multitude of the human rights abuses perpetrated against these women. The statutory minimum for sale into involuntary servitude is only 10 years, whereas the maximum for dealing in small quantities of certain drugs is life.

Let me repeat that. The statutory minimum for sale into involuntary servitude is only 10 years, whereas the maximum for dealing in small quantities of certain drugs is life.

Few State and Federal laws are aimed directly at people who deliver or control women for the purpose of involuntary servitude or slavery in sweatshops or brothels. Consequently, prosecutors are forced to assemble cases using a hodgepodge of laws, such as document fraud and interstate commerce, and accept penalties that they believe are too light for the offense. Up until this legislation, there was no way for the prosecutors to go after these traffickers.

The Victims of Violence and Trafficking Protection Act of 2000 establishes, for the first time, a bright line between the victim and the perpetrator. It punishes the perpetrator and provides a comprehensive approach to solving the root problems that create millions of trafficking victims each year.

This legislation aims to prevent trafficking in persons, provide protection and assistance to those who have been trafficked, and strengthen prosecution and punishment for those who are re-

sponsible for the trafficking. It is designed to help Federal law enforcement officials expand antitrafficking efforts here and abroad, to expand domestic antitrafficking and victim assistance efforts, and to assist nongovernment organizations, governments and others worldwide, who are providing critical assistance to victims of trafficking. It addresses the underlying problems which fuel the trafficking industry by promoting public antitrafficking awareness campaigns and initiatives in other countries to enhance economic opportunity, such as microcredit lending programs and skills training, for those who are most susceptible to trafficking, and have an outreach so women and girls as young as 10 and 11 know what they might be getting into.

It also increases protections and services for trafficking victims by establishing programs designed to assist in the safe reintegration of victims into their communities and ensure that such programs address both the physical and mental health needs of trafficking victims.

Imagine what it would be like to be age 12 or 13, a young girl, to go through this. We have, in Minnesota, the Center for the Treatment of Torture Victims. It is a holy place. I have had an opportunity to meet with staff and meet with many men and women who have been helped by this center. These girls, these women, have gone through the same living hell.

This legislation also increases protections and services for trafficking victims by providing community support. Furthermore, the bill seeks to stop the practice—and this is so important. I am sitting next to Senator KENNEDY who has done so much with the immigration work. This bill seeks to stop the practice of immediately deporting the victims back to potentially dangerous situations by providing them with some interim immigration relief. Victims of “severe forms of trafficking,” defined as people who were held against their will—“for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery”—would be eligible for a special visa letting them stay in the country at least through the duration of their captors’ prosecution, and perhaps permanently.\*\*\*\*\*-Name: -Payroll No. -Folios: -Date: -Subformat:

Right now, if you are a Ukrainian girl or woman in a massage parlor in Bethesda, and you step forward to get some help, you are deported. The trafficker is hardly prosecuted. The victim is automatically deported. This provides temporary visa protection.

I will give an example. In a 1996 trafficking case involving Russian and Ukrainian women who had answered ads to be au pairs, sales clerks, and waitresses but were forced to provide

sexual services and live in a massage parlor in Bethesda, MD, 2 miles from here, the Russian American massage parlor owner was fined. He entered a plea bargain and charges were dropped with the restriction that he would not operate his business again in Montgomery County. The women, who had not been paid any salary, were forced into prostitution, and were charged for their housing, were deported.

This legislation toughens current Federal trafficking penalties, criminalizing all forms of trafficking in persons and establishing punishment commensurate with the heinous nature of this crime. The bill establishes specific laws against trafficking. Violators can be sentenced to prison for 20 years to life, depending on the severity of the crime. Yes, if you are trafficking a young girl and forcing her into prostitution, you can face a life sentence. They can also be forced to make full restitution to their victims, paying them the salary that would have been due for their months or years of involuntary service.

This bill requires expanded reporting on trafficking, including a separate list of countries which are not meeting minimum standards for the elimination of trafficking.

It requires the President to suspend "nonhumanitarian and nontrade" assistance to only the worst violators on the list of countries which do not meet these minimum standards and who actively condone this human rights abuse. This is a major piece of human rights legislation. This is a major human rights bill.

These are the rare governments which are openly complicit in trafficking people across their borders. It allows the Congress to monitor closely the progress of countries in their fight against trafficking, and it gives the administration flexibility to couple its diplomatic efforts to combat trafficking with targeted enforcement action. Finally, the bill provides three generous waivers.

By passing the Victims of Violence and Trafficking Act today, this Chamber will take a historic step toward the elimination of trafficking in persons.

Thanks to the partnership of Jewish and Evangelical groups, women and human rights organizations, and others, we will take a historic and effective step against organized crime rings and corrupt public officials who each year traffic more than 2 million people into desperate, broken lives of bondage and servitude.

Something important is in the air when such a broad coalition of people, including Bill Bennett, Gloria Steinem, Rabbi David Sapperstein, Ann Jordan, and Chuck Colson work together for the passage of this legislation. I am thankful for their support, I am thankful for the support of the administration, and I am thankful for your support today in seeking to end this hor-

rible, widespread, and growing human rights abuse.

By way of conclusion, I say to my colleagues, starting with Senator BROWNBACK, I believe with passage of this legislation—I believe it will pass today and the President will sign it—we are lighting a candle. We are lighting a candle for these women and girls and sometime men forced into forced labor. I also think because of the work of so many in the House and the Senate, this can be a piece of legislation that other governments in other parts of the world can pass as well. This is the beginning of an international effort to go after this trafficking, to go after this major, god-awful human rights abuse, this horrible exploitation of women, sometimes men, and of girls.

I am very proud of this legislation. I thank my colleague from Kansas. I thank other colleagues as well.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. HAGEL). The Senator has 36 minutes remaining.

Mr. WELLSTONE. Mr. President, I reserve the remainder of my time. The other part of this legislation that is so significant, and I know colleagues are here to speak about it, is the reauthorization of the Violence Against Women Act. I want to reserve time to speak about that very important piece of legislation. For me, to see both of these bills pass and to see it happen today is one of the best days I can have in the Senate. I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, if the Senator from Massachusetts will withhold for a moment, is my understanding correct that the Senator from Vermont has 3 hours?

The PRESIDING OFFICER. The Senator is correct.

Mr. LEAHY. Mr. President, for the information of colleagues, I do not intend to use all that time. At some point, I am going to yield back a considerable amount of time. I know there are Senators on both sides of the aisle who have commitments tonight, some connected with the debates of the two parties' Presidential nominees. It is my hope we will be voting fairly early this afternoon—a vote on the Thompson point of order and final passage.

I yield such time as the Senator from Massachusetts needs, and I ask unanimous consent that I then be able to yield to the Senator from California.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I greatly appreciate the absolutely splendid presentation by my friend and colleague, Senator WELLSTONE. I agree with him on so many issues. His statement today was one of his very best. We can certainly understand the ex-

traordinary work he has done, along with Senator BROWNBACK and others, to make sure this legislation is considered. All of us will forever be grateful to him for his leadership in this extremely important area. I certainly am. I thank him for an absolutely splendid presentation.

Mr. President, I'm pleased that the Senate is finally about to pass the reauthorization of the Violence Against Women Act. The current authorization for the Act expired on September 30, and it has taken far too long to bring this important extension to the Senate floor.

A woman is beaten every 15 seconds as a result of domestic violence. Every year, one-third of the women who are murdered are killed by their husbands or partners, and approximately one million women are stalked. Conservative estimates indicate that 60 percent of disabled women, up to 25 percent of pregnant women, and 1 out of 25 elderly people have suffered domestic violence.

This isn't a problem that only affects adults. Each year, 3.3 million children are exposed to domestic violence. In homes where abuse of women occurs, children are 1,500 times more likely to be abused as well. Whether they witness the violence or are actually assaulted by the abuser, many children learn shocking behavior from adults. 12 percent of high school dating couples have suffered abuse in their relationships, and often these teenagers are themselves victims of abuse at home.

Eighteen-year-old Tanyaliz Torres and her mother were stabbed to death by her father in Springfield, Massachusetts. Fifty-eight-year-old Mabel Greineder of Wellesley, Massachusetts was stabbed and bludgeoned to death by her husband. From October 1999 through September 2000, 24 Massachusetts women and children were killed as a result of domestic violence. It is a national epidemic that touches every community in the country.

The Violence Against Women Act was enacted in 1994 to address this problem and provide greater safety and peace of mind for millions of women and their families. The act creates a partnership between the public sector and the private sector at every level—Federal, State, and local. Its goal is to establish a safety net of new programs and policies, including community-based services for victims, a National Domestic Violence Hotline, needed technological assistance, and larger numbers of well-trained law enforcement officers and prosecutors.

The national Hotline gives women across the country immediate access to the help they need. Since its initiation in 1996, it has received over 500,000 calls. When a Spanish-speaking woman in Arizona needed shelter for herself and her three children, the Hotline called a shelter in Phoenix, found a



Spanish-speaking counselor, and gave the caller the counselor's name and directions to the shelter. In the countless cases, the Hotline is an invaluable resource, and we must do all we can to support it.

In Massachusetts, \$20 million under the Violence Against Women Act has been awarded to advocacy organizations, law enforcement personnel, and State and local governments. The Wampanoag Tribe of Gay Head received funding to develop and strengthen tribal justice strategies to remedy violent crimes against Indian women and to develop and strengthen services for victims.

The act also supports HarborCOV—Harbor Communities Overcoming Violence—a Massachusetts program serving Chelsea and Greater Boston. In addition to its core services, HarborCOV has an economic development component which helps survivors move from welfare to work. Employment training and employment referrals are also provided to help domestic violence victims find jobs.

The reauthorization will ensure that support for these programs and others will continue. It also includes important new measures, such as transitional housing assistance and a \$175 million authorization for shelters, which will be significant additional tools in the battle against domestic violence.

One of the most important provisions in the bill is the Battered Immigrant Protection Act. This provision helps battered immigrants by restoring access to a variety of legal protections undermined by the 1996 immigration laws. The Violence Against Women Act passed in 1994 included provisions that allowed battered immigrants to apply for legal status without the cooperation of their abusers, and enabled victims to seek protective orders and cooperate with law enforcement officials to prosecute crimes of domestic violence.

Unfortunately, the subsequent changes in immigration laws have reduced access to those protections. Thousands of battered immigrants are again being forced to remain in abusive relationships, out of fear of being deported or losing their children. The pending bill removes obstacles currently hindering the ability of battered immigrants to escape domestic violence safely and prosecute their abusers.

It restores and expands vital legal protections like 245(i) relief. This provision will assist battered immigrants, like Donna, who have been in legal limbo since the passage of the 1996 immigration laws. Donna, a national of Ethiopia, fled to the U.S. in 1992 after her father, a member of a prominent political party, was murdered. In 1994, Donna met Saul, a lawful permanent resident and native of Ethiopia. They

married and moved to Saul's home in Massachusetts. Two years later, Saul began drinking heavily and gradually became physically and verbally abusive. The abuse escalated and Donna was forced to flee from their home. She moved in with close family friends who helped her seek counseling. She also filed a petition for permanent residence under the provisions of the Violence Against Women Act.

Unfortunately, with the elimination of 245(i), the only way for Donna to obtain her green card is to return to Ethiopia, the country where her father was murdered. The possibility of returning there terrifies her. This legislation will enable her to obtain her green card here, where she has the support and protection of family and access to the domestic violence counseling she needs.

Under this act, battered immigrants will also have up to one year from the entry of an order of removal to file motions to reopen prior deportation orders. The Attorney General may waive the one year deadline on the basis of extraordinary circumstances or hardship to the battered immigrant's child.

This Act will also expand remedies for battered immigrants living abroad with spouses and parents serving in the United States military or other federal positions. Current law only allows battered immigrants residing in the United States to request this relief. This bill will make it easier for these immigrants and their children to escape abusive relationships and obtain the help they deserve.

The legislation also grants the Attorney General the discretion to waive certain bars to immigration relief for qualified applicants. For example, battered immigrant women acting in self-defense are often convicted of domestic violence crimes. Under the 1996 immigration law, they became deportable and are denied relief under the Violence Against Women Act. The Attorney General will be able to use the waiver authority to help battered immigrants who otherwise qualify for relief.

Also, recently divorced battered immigrants will be able to file self-petitions. Current law allows only battered immigrant women currently married to their abusive spouses to qualify for relief. As a result, many abusers have successfully rushed to the court house to obtain divorces, in order to deny relief to their immigrant spouse. This provision will prevent this unfair result and ensure that victims are not wrongly deprived of the legal protection they need.

These and other important measures will do a great deal to protect battered immigrants and their children from domestic violence and free them from the fear that often prevents them from prosecuting these crimes. Congress enacted the Violence Against Women Act

in 1994 to help all victims of domestic violence, regardless of their citizenship. It is long past time to restore and expand these protections.

I am also pleased that the legislation includes authorization for increased funds for the National Domestic Violence Hotline. Consistent with last year's funding, the bill authorizes \$2 million a year for the hotline and ensures that the Hotline will be an effective source of assistance, providing vital services to women, children, and their families.

A second, equally important part of the bill we are considering today is the Trafficking Victims Protection Act, which condemns and combats the trafficking of persons into forced prostitution or forced labor, a practice that is tantamount to modern day slavery.

Enactment of this legislation will strengthen laws that punish traffickers and ensure protection for their victims—most of whom are women and children.

One of the most important of these provisions expands assistance and protection to victims of severe forms of trafficking, ensuring that they receive appropriate shelter and care, and are able to remain in the United States to assist in the prosecution of traffickers. Relief from deportation is also critical for victims who could face retribution or other hardship if removed from the United States.

Sara, a native of Sri Lanka, was promised a lucrative job as a housekeeper. Upon arrival in the U.S., Sara was virtually imprisoned in her employer's Massachusetts home, and subjected to physical and sexual assault. She bore three children as a result of rape. After 5 years of living in captivity and isolation, she was finally able to escape. This legislation will provide persons like Sara with the protection and rights they need to assist in the prosecution of these despicable crimes.

Finally, this legislation also includes an important provision to provide compensatory damages to Frank Reed and other American citizens who were victims of Iranian terrorism.

In 1986, Frank Reed, of Malden, MA, was kidnapped in Lebanon. At the time, he was a private citizen and president of the Lebanese International School. During his 44-month captivity, he was blindfolded, chained, tortured, and held in solitary confinement for 2 years. His captors periodically fed him arsenic, from which his health still suffers.

In 1990, he was released to Syrian Army intelligence officers in Beirut, who took him to the U.S. Embassy in Damascus. I met him when he returned to the United States after his tragic and traumatic ordeal.

A U.S. judge ordered the Iranian Government to provide Frank Reed and his wife with \$26 million in compensatory



damages, but the Government has refused to comply.

Under the legislation we are approving today, the U.S. Government will provide the funding. The amount will be recovered in turn by the U.S. Government from the Iranian Government through a Foreign Military Sales Account that holds \$400 million.

Frank Reed suffered immensely at the hands of his brutal captors, and so did his family, and he deserves this compensation.

I strongly support the Violence Against Women Act of 2000, the Trafficking Victims Protection Act, and the Justice for Victims of Terrorism Act. This legislation will ensure that we are doing much more to protect women from violence and abuse, and it deserves to be enacted as soon as possible.

#### ELEMENTARY AND SECONDARY EDUCATION ACT

Mr. President, I want to also address the Senate for just a few moments on another matter of importance to families all across this country which is central to their concerns, and that is, what has happened to this Senate's commitment to passing and reauthorizing the Elementary and Secondary Education Act? That legislation is the backbone of Federal participation in helping local communities strengthen academic achievement and accomplishment. We are now going into the final days of this Congress and we still have not reauthorized that central piece of legislation even though we have had strong commitment by the majority party that this was a priority and that we were going to have consideration of this legislation.

We heard a great deal during the recent debates of our two candidates for President and our two candidates for Vice President about education. But our American families are wondering, whatever happened to the Senate of the United States on this issue? The fact is, we are basically AWOL, we are A-W-O-L on this issue. It is the first time in 35 years that we have failed to reauthorize this legislation.

I understand, as we remain here for these final days, that we will have a conference report for agriculture, that we will have a series of appropriations conference reports, but there is no reason in the world we can't go back and complete this legislation in the time that we are in here waiting for the various appropriations bills.

We continue to challenge the Republican leadership to bring this back. There is still unfinished business in education and in the area of minimum wage. There is unfinished business on the Patients' Bill of Rights and on the prescription drug issue.

I want to reemphasize exactly where we are on the issue of the Elementary and Secondary Education Act. These are statements that have been made by the Republican leader, Senator LOTT's

promise on education, going back to January 6, 1999. He said:

Education is going to be a central issue this year. . . . For starters, we must reauthorize the Elementary and Secondary Education Act. That is important.

Remarks to U.S. Conference of Mayors, January 29, 1999:

But Education is going to have a lot of attention, and it's not going to be just words. . . .

Press conference, June 1999:

Education is number one on the agenda for Republicans in the Congress this year. . . .

Remarks to the U.S. Chamber of Commerce in February of 2000:

We're going to work very hard on education. I have emphasized that every year I've been Majority Leader. . . . And Republicans are committed to doing that.

A speech to the National Conference of State Legislatures, February 3, 2000:

We must reauthorize the Elementary and Secondary Education Act. . . . Education will be a high priority in this Congress.

On the Senate floor, May 1, 2000:

This is very important legislation. I hope we can debate it seriously and have amendments in the education area. Let's talk education.

Press stakeout, May 2, 2000:

Question: Senator, on ESEA, have you scheduled a cloture vote on that?

Senator LOTT: No, I haven't scheduled a cloture vote. . . . But education is number one in the minds of the American people all across this country and every State, including my own State. For us to have a good, healthy, and even a protracted debate and amendments on education, I think is the way to go.

We agree with that statement. We still have some time, while we are waiting for the appropriators to conclude their work, where we ought to be bringing this back and having a full debate. We are prepared to do that. We think it can be done.

Senate floor, July 10, 2000:

I, too, would very much like to see us complete the Elementary and Secondary Education Act. . . . I feel very strongly about getting it done. . . . We can work day and night for the next 3 weeks.

Senate floor, July 25, 2000:

We will keep trying to find a way to go back to this legislation this year and get it completed.

That was on July 25, and we are still waiting.

The fact is, we are failing to meet this central challenge. Our Presidential candidates are talking about the issue of education, but they are talking about it in a vacuum because the Senate of the United States is failing to take up this particular issue which makes such a difference to families, and that is strengthening academic achievement and accomplishment. The fact is that we are in a new world of technology and it is demanding. We have to refocus and re-prioritize the whole issue of education to make sure that it addresses the needs of today's

economy and society. This is going to be central in terms of our national debate and discussion. That is what this debate is all about.

What is going to be our involvement in terms of helping families? The fact is that we are absent in this debate because we are refusing to conclude action.

This is what is happening in America. More students are now taking the SATs. 83 percent of four-year colleges use SAT scores as a factor in admission. Increasing numbers of students are recognizing that a college education is the key to success in America. Families understand the importance of taking those tests; children understand it. We want to make sure we are helping those families who have children taking the SATs and those who would like their children to take the SATs.

As depicted on this chart, this is what has happened. From 1995, 42 percent of the children were taking SATs, and it is up to 44 percent in 2000.

More students are also taking advanced math and science classes because they understand that in a highly technological world, with new kinds of demands in terms of technology, they are going to have to do more in terms of math and science courses. We see increases in the number of students taking advanced classes in pre-calculus, calculus, and physics. Young people are doing their share. The real question is whether we in the Congress are going to do ours. The answer comes back that, no, we are not. Look at what has been happening with the SAT math scores. They are higher now than in the last 30 years, and they are continuously moving up. The indicators are all positive. You would not know that listening to Governor Bush last week. We know we are facing challenges across the country, but look at the SAT math scores; they are the highest in 30 years. More kids are taking the SAT, and still the scores are moving up. I think we ought to understand what is happening out there. Some progress is being made.

Now, this doesn't mean that progress is being made in all of the States. That is very important, indeed. Looking at the State SAT averages and progress made since 1997, some States have done much better than others. I am glad my own State of Massachusetts has moved up some 8 points, from an average total SAT score of 1,016 in 1997 to 1,024 in 2000. We have had major educational reforms. We have done many things in our State in terms of smaller class sizes, better trained teachers, and afterschool programs. We are not doing all the things we need to be doing, but we have done a lot. We have also taken advantage of Net Day to try, in a voluntary way, to get good computers in classrooms with well-trained teachers.

We also have found out in this discussion and debate that not all the

States—including the State of Texas—have made progress. It is interesting that actually the State of Texas has declined some 2 points in their average total SAT score since 1997. They dropped from an average score of 995 in 1997 to 993 in 2000. They are also below the national SAT total score average. The national average has gone up 3 points from 1997 to 2000, but the State of Texas has gone down 2 points. That is a 5-point spread. So I think when we listen to these debates about what ought to be done, we ought to try to take with a grain of salt what has been happening in Texas over the period of these last 3 years.

In addition, looking back at the trend over the last 10 years, as I understand it, in SAT verbal scores since 1990, Texas has been 10 points below the national average. By 2000, the gap had grown to 12 points. In math, Texas has been 12 points below the national average. By 2000, the gap has grown to 14 points.

I think we want to have leadership at the national level that is going to bring continued improvement. We know we have challenges. We know we have challenges in urban areas and we have challenges in rural areas. But we also know some of the things that work. The STARS Program, as we have seen in Tennessee, has been very important in terms of enhancing children's academic achievement and accomplishment.

We know what has happened when we focus on getting better teachers in schools, such as in the State of Connecticut. Much of the progress there has been under Republican as well as Democratic Governors. We want to try to find out what has worked in these States and then have an opportunity to try to give general national application to it. But we are effectively being closed out by the Republican leadership from having this debate. That is what families ought to understand across this country.

We are basically being told we can't have a debate here in the Senate on the issue of education. We had 6 days when the measure was before the Senate, and 2 days were for debate only. We had eight votes and one was a voice vote. So that meant seven rollcalls and three of them were virtually unanimous. So we really didn't have much debate and discussion. We had 16 days of debate on the bankruptcy legislation and 55 different amendments on it. So it is a matter of prioritizing.

I dare say we are failing to meet the responsibilities to families across this country who want to have investment in the kinds of educational programs that are going to work and who understand their children are living in a new age of technological challenges. They want to see their children move ahead academically. We have seen that children are prepared to do that. We have

seen them taking more difficult courses. They are taking the challenges of SATs. They are prepared to move ahead.

Some of the States are moving ahead boldly, such as North Carolina, in terms of their efforts. But we have to ask ourselves: Where in the world are the Congress and Senate in terms of helping and assisting families in this area? The fact of the matter is that we are AWOL. We have failed to do our homework. If we were students with this behavior, we would be in the principal's office for several hours in discipline.

We are going to continue to talk about this. I see that we now are going to have a continuing resolution that will go into next week. We may go even further. There is no reason in the world we can't use these interludes to take on one of the really important issues for families; that is, the reauthorization of the Elementary and Secondary Education Act.

I thank the Senator from Vermont for yielding time.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I believe under the unanimous consent agreement that I can now yield to the distinguished Senator from California. I ask the Senator from California how much time she would like.

Mrs. BOXER. Between 10 and 15 minutes.

Mr. LEAHY. I yield 15 minutes to the distinguished Senator from California.

So many have worked so hard on this. The distinguished Senators from Massachusetts and Minnesota have spoken already, but especially Senators BOXER, MIKULSKI, LINCOLN, LANDRIEU, MURRAY, and FEINSTEIN have worked so hard.

I yield 15 minutes to the Senator from California.

I ask the Chair how much time is remaining for the Senator from Vermont.

The PRESIDING OFFICER. The Senator has 2 hours 35 minutes remaining.

Mr. LEAHY. I thank the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, thank you very much. I thank my friend from Vermont for all his hard work. I thank my friend, Senator WELLSTONE. I thank Senator BROWNBACK. I thank Senator BIDEN and Senator HATCH.

We have a very important bill before us. I think the Trafficking Victims Protection Act sort of stands on its own. I would love to have seen that come on its own because it is a landmark piece of legislation. I felt the same way about the Violence Against Women Act.

That is a landmark piece of legislation. Unfortunately, I think we have issues and pieces of legislation that shouldn't be in here. But that is the way it goes. How you would ever get to

the point where you would put an issue that deals with sales of wine on the Internet is beyond me. I don't think people really get what we do here when we take these issues and blend them together. But let's call it the way it is.

The Trafficking Victims Protection Act and the Violence Against Women Act are so important that Members are willing to say, even if they didn't agree with all the appendages, they are willing to go along with them. I am going to make some comments about each piece that is in this legislation.

The Violence Against Women Act is very near and dear to my heart because in 1990 I was over in the House, where I served very proudly for about 10 years, and Senator BIDEN came to me and said: Would you be willing to offer the Violence Against Women Act in the House? He had authored it in the Senate. I was extremely pleased to agree.

The whole issue of domestic violence in our country up until that time was never discussed. It was swept under the rug. Even though we knew it was brutalizing women and children, we didn't have the courage to act. In those early years, it was very hard to get attention paid to violence against women.

I was able in the House to get through just a couple of pieces of that legislation. But it wasn't until I came to the Senate with Senator BIDEN that we really orchestrated tremendous support for the bill. In 1994, we got it through as part of the Crime Act. It has proven itself.

In this particular reauthorization, we will provide \$3.3 billion in funding over the next 5 years to protect victims of domestic abuse and violence. We have made tremendous progress. We have seen a reduction of about 21 percent in domestic violence. But still to this day, we have a national crisis that shatters the lives of millions of women across the country and tears at the very fabric of our society.

Reauthorizing these programs sends a much needed message to those who even think about lifting a hand to a spouse or think about lifting a hand to an innocent child that we will not stand silently by and that we in fact will protect those victims of domestic violence.

We know that nationwide nearly one in every three adult women experiences at least one physical assault by an intimate partner. We know for a fact that domestic violence is the leading cause of injury to women age 15 to 44, with nearly one-third of women who are murdered being murdered by a husband or a boyfriend.

Although domestic violence affects both men and women, the overwhelming majority of domestic violence victims happen to be women. That is why a majority of the services authorized under the Violence Against Women Act focus on the unique circumstances of women in abusive relationships.

Again, we have made progress. Since 1994, when the bill passed and President Clinton signed it into law, there has been a 21-percent decrease in intimate partner violence and we have increased battered women's shelters by 60 percent.

I remember in those years when we were battling for this bill, we originally pointed out that there were more shelters for animals than there were for battered women. I am proud to say today we have seen an increase in the number of shelters so we can in fact address the critical needs of victimized women and their children, many of whom have absolutely no place to go and therefore sometimes they are forced to stay in these abusive relationships. Where are they going to go? They will go out on the street if they don't have a loving family to go home to. It is a tragic situation indeed.

The bill ensures that we will be funding a continued increase in these shelters. But we also want to stop the violence before it gets to that. We have STOP grants that provide moneys for rape prevention, and education grants, and a 24-hour national domestic violence hotline which is so important. Women in these circumstances need to have a reassuring voice. They believe sometimes that no one cares about them; they are all alone. If they can dial that hotline and get professional help, it makes all the difference in the world.

This bill will strengthen law enforcement efforts to reduce domestic violence by requiring the enforcement of other States' protection orders as a condition of funding for some of the grants. In other words, if you have a batterer who tries to escape prosecution by going across State lines, we address this issue.

This is very important. I want to talk about the children. We talk about battered women, but we know—this is an incredible fact as we look at the causes of violence in society, and we are right to look everywhere in the society—we need to understand if a young boy sees his father beat his mother, that child is twice as likely to abuse his own wife than the son of a nonviolent parent. If a child, particularly a young boy, sees a father beat a mother, he is twice as likely to abuse his own spouse.

We know 10 million children every year are exposed to domestic violence. More alarming even than that is the fact that 50 percent to 70 percent of those men who abuse their female partners also abuse their children. It becomes a way of life and a way of communicating for which we should have zero tolerance. These abused children are at high risk for violent, delinquent behavior. The National Institute for Justice reports that being abused as a child increases a child's likelihood of arrest as a juvenile by 53 percent. We

know even when they are young they are more apt to be arrested and get in trouble. We know when they are adult and they marry they are more likely to abuse a spouse.

When we talk about the Violence Against Women Act, we are not talking only about women. We are also talking about the children. If there is anything we can do in this hallowed hall of the Senate, it is to protect children. We have the Safe Havens for Children Pilot Program; we have victims of child abuse programs funded; we have rural domestic violence and child abuse enforcement grants. This package also includes training for judges and court personnel. We also, for the first time, look at battered immigrants, which is a very important issue, because we sometimes have people coming here who don't understand their rights. They need to understand their rights, that their bodies don't belong to anyone else, and they have a right to cry out if they are abused.

There are many other programs reauthorized by the Violence Against Women Act, such as those to combat sexual assault and rape, transitional housing, and civil, legal assistance. Again, a lot of these folks don't understand their legal rights. We provide grants to counsel them. We include protection for older and disabled women.

It is hard to even imagine an older woman in our society or a disabled person being victimized. Is there no rule that would say to every human being that there has to be respect? Unfortunately, in some cases, these rules don't penetrate. So we have to get tough and make sure that we prevent this. However, if it happens, we will crack down.

Again, I thank Senator JOE BIDEN for his work. It is very important.

Also, a judgeship that is being held up is the nomination of Bonnie Campbell to the U.S. Court of Appeals for the Eighth Circuit. One might ask what it has to do with the Violence Against Women Act. The fact is, Bonnie Campbell has been the first and only Director of the Violence Against Women Office in the Department of Justice, and her nomination is being held up because of partisan politics in the Senate. Here is a woman who paved the way for the Violence Against Women Act, ensuring it was successful, and she is a perfect person to be a judge. She was the attorney general in Iowa for many years. Her achievements and qualifications are obvious. If we really care about the Violence Against Women Act, and I believe we do, then I believe we will have an overwhelming vote, hopefully a unanimous vote. Then we ought to look at one of the people who has made this act such a success. What a wonderful tribute it would be to the women of America to make Bonnie Campbell a judge.

I join with Senator HARKIN on this because I know he has been quite dis-

tressed that such an excellent nominee has had a hearing, but her nomination has not come out of committee. We know of no one who is opposed to Bonnie Campbell. I think it would be a fitting tribute to the women of America to bring her nomination quickly to the floor.

I appreciate the work of Senator WELLSTONE and Senator BROWNBACK on the Trafficking Victims Protection Act. We know that some of these victims have been subjected to the most horrific lives, including rape, sexual abuse, torture, starvation, and imprisonment. The selling of naive and desperate women into sexual bondage has become one of the fastest growing criminal enterprises in the global economy. It is hard to understand how this could happen. But when people are in a strange land and are frightened, they look to others to protect them when they really want to hurt and harm them. This legislation authorizes \$94 million over 2 years to stop this abhorrent practice.

At the beginning of my remarks, I talked about sometimes attaching bills to other bills that make no sense. I am sad to say this has the alcoholic beverage sales attached to it. I am very sorry for the small wineries in my State. I tried to protect them. I will have some kind of a colloquy with Senator HATCH on this. Half of our 900 wineries in California are run by families. They don't have big, elaborate distributors; they don't have a big distribution. Because of this they will need to sell their product on the Internet. I have nothing against the way wine is distributed, but the new technologies will make it possible for our many wine sellers to sell directly to consumers without the need to go through a middleman or middle person. I think it is sad that we have attached this because these very small family-owned wineries may well suffer.

I am going to be working with my colleagues. I know Senator LEAHY is quite sympathetic to this. We want to make sure there are no negative impacts from this legislation. We think there will be. But we are going to follow this very closely.

The excuse given is, we will stop kids from buying on the Internet. That is a legitimate point. But we recommended a solution dealing directly with preventing underage drinking, and it was not accepted. In my heart of hearts, I believe this is a special interest piece of legislation to protect the distributors. It doesn't do anything to protect young people from buying liquor. I think it is a sad day for our small wineries that are trying hard to survive in California.

In conclusion, I again thank Senator LEAHY for this time. It is a wonderful day. We finally got this Violence Against Women Act reauthorized. We are going to put an end, hopefully, to

the sex trafficking. It is a good day for the Senate.

I only hope we will heed the words of Senator KENNEDY now and get on with education, get on with prescription drugs, and get on with the real Patients' Bill of Rights. Let's do our work. We can do our work. The American people want us to do it. The way the procedure is going now, we have no chance to offer amendments on education or health care. It is a shame.

I yield my time.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I agree with the distinguished Senator from California on Bonnie Campbell. As the one who has brought life into the Violence Against Women Act, it is remarkable that she cannot even get a vote in this Chamber on her judicial nomination.

I have said on the floor, although we are different parties, I have agreed with Gov. George Bush, who has said that in the Senate a nominee ought to get a vote, up or down, within 60 days. I urge in the time remaining in this session that he, as the head of his party, as their Presidential nominee, call the Republican leader of the Senate and say that all of these women, all of these minorities, in fact, all of the people who have been sitting here for well over 60 days waiting for a vote on their nomination, let them have a vote. Vote for them or vote against them. Bonnie Campbell deserves a vote. My guess is the reason she has not been brought for a vote is they know at least 80 of the 100 Senators would vote for her. It would be impossible to justify a vote against her because of her extraordinary qualifications.

Again, if Governor Bush is serious when he says have a vote within 60 days, pick up the phone, call the Senate majority leader, reach him at the switchboard, 202-224-3121, and ask him to bring her to a vote. It is a very easy thing to do.

I agree with the Senator on the Internet alcohol bill. That was included over my objection. It is unnecessary. It is dangerous to e-commerce. Adding Internet sales on alcohol demeans the issue of violence against women and sex trafficking that this bill is all about. It is demeaning to what is a good bill.

Mrs. BOXER. I thank my friend for his comments on all fronts. Regarding his last comment, he is so right. When I first learned there was a move to attach this bill to the Violence Against Women Act, I was absolutely stunned. People have to watch what we do here. They understand, unfortunately, that the special interests still have a lot of influence. This is one case where they had too much influence. As my friend knows, we tried to work this so we could address the issue of juveniles buying liquor from the Internet, which

everyone agrees is a terrible thing. This hurts our small wineries—let's call it the way it is—in favor of the big distributors.

But on the Bonnie Campbell point, I particularly want to say to my friend how much I have appreciated his leadership on these judicial nominations. I say today we would not have had even the meager number that we have had without his leadership and his pointing out, over and over again, that women and minorities are getting second-class treatment here.

I ask my friend if he would recount, briefly, the study he had quoted many times, showing that women and minorities take about 3 months longer, on average, to get through; just his comments on how it always seems we are here fighting for women or a minority. It does not seem as if we have to fight that hard for the white male.

Mr. LEAHY. If the Senator will yield, the study was done by the non-partisan Citizens for Independent Courts. In fact, the former Republican Congressman from Oklahoma, Mickey Edwards, co-chaired that study. They found, without taking sides and without taking political stands, that women and minorities took longer to be confirmed by the Senate. Unfortunately, a lot of those women and minorities are not even getting a vote.

Again I say if Governor Bush means it, pick up the phone and call 202-224-3121; ask the Senate switchboard to connect him to the Republican leader and say: You know, I have made it a tenet of my campaign that the Senate should vote on a nomination within 60 days. You can bring every one of these people to the floor for a vote, up or down, today. Let's do so. Who knows. We will find out how the Senate feels about them. Are they for them or are they against them? Right now, instead of voting yes or no, we vote "maybe," by having one or two Senators in the dark of night put holds on these people.

I see the distinguished Senator from Washington State, who has been one of the great leaders on the issue of violence against women, on sex trafficking, and on these other issues. I ask her, how much time does the Senator from Washington require?

Mrs. MURRAY. Ten minutes.

Mr. LEAHY. We yield 10 minutes.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I thank the Senator from Vermont for his comments. I am looking forward, hopefully, to him chairing the Judiciary Committee next year; so that women such as Bonnie Campbell are not held up for months on end and we actually have a chance to put good, qualified women and minorities into judiciary positions in this country.

I also thank the Senator from Vermont for his tremendous work on the Violence Against Women Act,

bringing us to a point today where we are finally going to have a vote on this bill, despite the fact there are other parts of this bill that I do not believe should be attached to it. I appreciate his efforts because this is an extremely important bill.

I have come to the floor to express my strong support for reauthorizing the Violence Against Women Act and to endorse the pending conference report. In communities across America, the Violence Against Women Act has been an overwhelming success. It has empowered women and children to escape violent relationships, and it has helped to put abusers behind bars. On every account, the Violence Against Women Act deserves to be reauthorized. I urge my colleagues to support this vital legislation.

It is unfortunate that reauthorization was allowed to lapse this past month, but I am pleased the Republican leadership has finally agreed that reauthorization must be a priority. I wish we had reached the conclusion earlier in this session.

This subject deserves a much more open and extended debate than has been allowed, but I want to take full advantage of the opportunity before us, the chance to reauthorize and strengthen the Violence Against Women Act. VAWA has been nothing short of historic.

Not long ago, domestic violence was considered a private family matter. That perception made it very difficult for women to get help and for communities to confront domestic violence. But all of that changed in 1994. I am very proud to have worked to pass the Violence Against Women Act because, for the first time, our Nation recognized domestic violence for what it is—a violent crime and a public health threat.

Through the Violence Against Women Act, we created a national strategy for dealing with violence against women. Today, looking back, it is very clear just how revolutionary the act was. For the first time, it established a community-wide response, bringing together cops and prosecutors, shelters and advocates and others on the front lines of domestic violence. It authorized programs to give financial and technical support to police departments to focus on domestic violence and to encourage arrests. It recognized and supported the essential role of the courts in ensuring justice. It provided funding for battered women's shelters and for programs that address the public health impact of domestic violence.

VAWA authorized funding for the Centers for Disease Control and Prevention, for Rape Prevention and Education, and it helped establish a national toll-free hotline for victims of domestic violence. Today, 1-800-799-SAFE offers battered women immediate help. In fact, every month, that

hotline receives more than 13,000 calls. Back in 1994, some people wondered whether this unprecedented national strategy would work. Today, 6 years later, the facts are in and it is clear that the Violence Against Women Act has been a success. Arrests and convictions are up. We have more than doubled funding for battered women's shelters. Since 1994, we have appropriated close to \$2 billion for VAWA-related programs.

As a member of the Senate Appropriations Committee, one of my highest priorities has always been increasing funding for the Violence Against Women Act programs. In communities throughout my State and others, the need is overwhelming, and funding makes a dramatic difference. Working with the chairman of the Subcommittee on Labor, HHS, and Education of the Senate Appropriations Committee, I have seen funding for shelters climb from \$10 million to more than \$100 million. I know Senator SPECTER has been a strong advocate for the Violence Against Women Act programs. I am pleased that VAWA has always been a bipartisan issue in appropriations.

While we have much to be proud of today, we cannot forget that abuse is still too common. In Washington State, my home State, the toll-free domestic violence hotline received more than 37,000 calls between July 1998 and July 1999. We cannot forget that there are still too few resources for women in need. In my State during that same period, 23,806 women and children were turned away from shelters—turned away as they sought help because the resources were not there.

We cannot forget that not all communities offer a full range of services, and not all police departments are equipped to handle a life-threatening domestic violence call.

The truth is, while the Violence Against Women Act was a historic first step, it was just that, a first step. The time has come for us to build on the foundation created by that act. VAWA offered an immediate response to the threat of violence. Now it is time to address the long-term issues. It is time to confront the long-range economic barriers that trap women and children in violent relationships.

I have worked with Senators WELLSTONE and SCHUMER to write and introduce the Battered Women's Economic Security Act. This legislation tears down economic barriers and breaks the cycle of violence. Our bill deals with employment discrimination, insurance discrimination, housing assistance, legal help, and child care. It addresses the punitive elements of the welfare system that can penalize women who are fleeing dangerous situations. It provides additional help to shelters and providers to meet the overwhelming needs of battered women and children.

I had hoped we would have been able to reauthorize the Violence Against Women Act in a timely manner and move to addressing those economic issues that I have outlined. Unfortunately, we cannot have that debate today or in this session of Congress. But let me assure my colleagues we will be back in the 107th Congress to fight to put these powerful tools in the hands of victims and their advocates.

Before I conclude, I want to say a special word of thanks to the many people who have helped us reach this point today.

I thank, again, Senator LEAHY and Senator BIDEN for their leadership. They worked very hard to bring a bipartisan bill to the floor today.

I also thank all of the advocates who fought so hard to ensure the success of the Violence Against Women Act and who have been aggressive in urging this Congress to act. Without their support in our communities, VAWA would never have been a success.

I thank the Washington State Coalition Against Domestic Violence for its dedicated work.

I thank all of the advocates, police officers, and community leaders with whom I have worked since 1994 to implement VAWA and to strengthen this important act.

I thank the many shelters and organizations that have opened their facilities to me during this session of Congress, including the Tacoma-Pierce County YWCA, Kitsap Special Assault Victims Investigative Services in Bremerton, the Bellingham YWCA, the Vancouver YWCA Domestic Violence Day Care Shelter, the Spokane Domestic Violence Consortium, the Spokane Women's Drop-In Center, and the people at Vashon Island Domestic Violence Outreach Services.

As I have visited with them, I have seen firsthand the services they offer and the challenges they face. I have spoken personally with women who have had their lives changed because of the services offered, and I have been impressed by the progress they are making day in and day out. Those experiences have strengthened my determination to support their work in the Senate.

In closing, it is clear the Violence Against Women Act has been a remarkable success. We cannot delay authorization any longer, and I urge my colleagues to vote for this measure. I look forward to working with those in the Senate and those in my State to help build on the progress of the Violence Against Women Act in the next session of Congress.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, how much time is remaining for the Senator from Vermont?

The PRESIDING OFFICER. The Senator from Vermont has 55 minutes 35 seconds.

Mr. LEAHY. Out of the 3 hours? We have not been in session 3 hours, Mr. President. The Senator from Vermont had a total of 3 hours. We went into session less than 3 hours ago.

The PRESIDING OFFICER. If the Senator will indulge, we will recalculate.

Mr. LEAHY. I thought there might be more. You have to watch out for that fuzzy math.

The PRESIDING OFFICER. The Senator from Vermont has 1 hour 55 minutes remaining.

Mr. LEAHY. That sounds a little closer to it. I am going to be reserving time for my own speech, but I have been withholding giving a speech because other Members on our side want to speak. I see the distinguished Senator from Maryland. I yield 5 minutes to the distinguished Senator from Maryland, my good friend.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I hope today the Senate will pass legislation to improve the lives of women in America and around the world and protect them from predators.

Make no mistake, when people commit crimes, they never commit crimes against people who are bigger, stronger, or have more power than they. They always go after the weak, the vulnerable. One can be weak either in physical strength or weak because one does not have the same size weapon.

Today we have two pieces of legislation pending: One, the reauthorization of the Violence Against Women Act, and the other will break new ground to protect women and children who are bought and sold around the world as if they were commodities. They are victims of predatory behavior.

By passing this legislation, we are going to protect them. Women in their own homes are often victims of violence. Mr. President, 900,000 women last year were battered in their own homes.

The Violence Against Women Act says we will not tolerate violence, whether it is in the home, in the neighborhood, or on a street corner.

I thank Senator LEAHY and Senator BROWNBACK who have been working on this legislation, along with Senator JOE BIDEN. We appreciate the support and leadership of the good men here.

We want to be sure that through this legislation, we are going to not only prevent violence but help women rebuild their lives. The Violence Against Women Act works through domestic violence programs at the State level, works with law enforcement, and works in treatment programs for those who were the abusers. I hope we pass this legislation.

The second part is legislation that will also be a hallmark. It is the Sexual Trafficking Victims Protection Act. Girls as young as 10 years old are kidnapped from their villages and taken to

brothels or sweatshops where they are imprisoned, forced to work as prostitutes, beaten, threatened, and even drugged into submissiveness. They prey upon women in the poorest regions of the world.

In addition, in central and southern Europe, with the collapse of the old economy, women from very poor villages are lured by fraudulent scam predators into thinking they are going to work in the West and are going to work in the hospitality industry. You bet it's hospitality. It is called turning them into whores.

I say to my colleagues, that is not what the free world and free economy should be about. We want to make the trafficking in women and children as criminal as the trafficking in illegal drugs. Guess what. Often the same scum who traffic in women are also the ones who traffic in drugs and traffic in illegal weapons of mass destruction.

I support and applaud the efforts of the Senator from Kansas who has taken the leadership in this area. He has visited Asia and has seen the recruitment and despicable circumstances under which young girls and children are forced to work. From briefings here, we know this is going on in the Balkans, out of Ukraine, and out of Poland. Many are brought into this country under false pretenses with phony visas. We have to stop the trafficking of women around the world.

This is very good legislation.

It will improve the lives of women in America and around the world. By passing the Violence Against Women Act, we are helping the victims of domestic violence to rebuild their lives. By passing the Trafficking Victims Protection Act, we are protecting women and children who are bought and sold, and forced into slavery.

Again every year, more than 900,000 women are victims of violence in their own homes. Every second, 20 women are battered. The Violence Against Women Act says we will not let violence threaten women, families, or communities.

Violence against women is not just a threat to the health and safety of women. It is a threat to the health and safety of families and our communities.

No woman in this country should live in fear. No woman should fear walking home at night. No woman should fear leaving a campus library. No woman should fear that her husband or boyfriend will hurt her or her children.

We will not tolerate it—not in Maryland, where 41 women were killed by domestic violence last year; not anywhere in America, where 4 women a day are killed by domestic violence.

The Violence Against Women Act supports programs that help women to rebuild their lives. It strengthens law enforcement's response to domestic violence. It gives legal assistance to vic-

tims of domestic violence, and it creates safe havens for women and children who are victims of domestic violence.

The Violence Against Women Act will protect thousands of woman throughout the country. Today we are also taking steps to protect women throughout the world—by passing the Sex Trafficking Victims Act.

The truly repugnant practice of trafficking in human beings affects between one and two million women and girls each year. As I have stated, girls as young as ten years old are kidnaped from their villages. Or unsuspecting families allow their daughters to leave—with promises of good jobs and better lives. These women are taken to brothels or sweatshops—where they are imprisoned. They are forced to work as prostitutes. They are beaten, they are threatened—and many are killed. Even if a woman escapes, she is often so afraid of retaliation that she will not testify against her abductors.

Organized, international criminals are responsible for the increase in trafficking. They prey on young women in the poorest regions of the world. They take advantage of the most vulnerable—who live in developing countries with poor economic and uneven law enforcement.

Most countries have no way of dealing with this sophisticated form of international crime. Many countries where trafficking is most prevalent lack the laws and law enforcement authority to handle the problem. To often, when local authorities catch traffickers, the women get the brunt of the punishment for prostitution—while traffickers face minor penalties.

That is why this legislation is so important. It focuses on prevention, protection, and support for victims, and prosecution of traffickers. It recognizes that trafficking is a global problem that requires an international solution.

To prevent trafficking this legislation raises the awareness of the problem in villages and countries. It educates potential victims by promoting anti-trafficking awareness campaigns and by authorizing educational and training assistance to international organizations and foreign governments. It also requires the Secretary of State to report on the severe forms of trafficking in persons in the annual country reports.

To strengthen prosecution, this legislation provides local authorities with the tools to crack down on traffickers.

To support the victims of trafficking, this legislation directs funds for international organizations that help these women to rebuild their lives. They are given a safe haven where they can recover. They are provided with education, training, and microloans.

This legislation also recognizes that trafficking is not just a foreign problem. Approximately 50,000 women are

brought to the United States each year where they are forced into prostitution or other servitude. This bill toughens current Federal trafficking penalties by doubling the current maximum penalties for traffickers to 20 years imprisonment with the possibility of life imprisonment. It also changes immigration law to help victims of trafficking. This will stop the practice of deporting victims back to potentially dangerous situations.

We want this century to be one of democracy and human rights. We will not achieve this unless everyone, including the worlds' poorest women, is able to control their own lives. This means education, economic development, family planning and civic institutions that protect the rights of women. The legislation we are passing today will take us closer to achieving these goals. I urge my colleagues to join me in strongly supporting the Violence Against Women Act and the Sex Trafficking Victims Act.

In conclusion, 4 years ago, I was a victim of violence. I was coming home from dinner with a wonderful professor who was an economic adviser to me and was here for a conference. I got her to her hotel. As I stepped out of my car, *zam*, I was mugged. I lost my handbag. I had a severe injury to my hand. I tried to fight him off, but he was over 6 feet, and I am under 5 feet. Fortunately, I escaped with my life. All I had was a broken memory and shattered security in my own neighborhood.

Thanks to the success of the Baltimore Police Department and the pressing of charges and the willingness not to plea bargain, that man is doing time while I hope I am out here doing good. I want to be sure the streets of America are safe. I have an entire Baltimore community on my side, including the informants. Not every woman has that. Let's try to get them the resources they need to be safe in their homes and communities. I thank the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I recall very well the incident of which the Senator from Maryland speaks. I am pleased this is a case where the perpetrator was arrested and prosecuted.

One of the things I learned in my years as a prosecutor is that too often nobody wanted to pursue those cases. All that meant, of course, was that somebody else would be a victim. In this case, it was the Senator from Maryland. But from my experience, had the person not been apprehended, not been convicted, then someday it would be somebody else. So I commend the people of Baltimore who rallied to her. At least out of that sorry thing there was adequate prosecution. But we have so much violence against women that we never see.

I recall so many times police officers seeing a badly battered woman, and

where we would bring prosecution, but as I talked to her, I would find this had happened several times before in a domestic situation and that they had gone to law enforcement, and others, and had been turned back where nothing had been followed up on. We had a very aggressive program in my office where we would follow up on it. I have to think there are a number of deaths, though, that have occurred and do occur in places where it is not followed up on.

This is something you do not see in the sunny ads and the perfect homes and domestic situations that we see on our television. The fact is, there are a lot of places in this country where there is enormous violence against women.

I would add to the comments of my colleague, it goes across every economic strata, it goes across all social strata. This is not one thing that is just in poor neighborhoods or just in one ethnic group or another. This goes across the economic strata. It goes across good neighborhoods and bad neighborhoods, large families and small families. But, unfortunately, many times it never comes to the attention of law enforcement. Regrettably, sometimes when it does, it is not followed up on. This act, itself, will help focus the attention of law enforcement on this.

Mr. President, the Senator from New Jersey had asked to speak, and I know the Senator from Louisiana wishes to speak.

Mr. BROWNBACK. Mr. President, if I could say before my colleague from Maryland leaves the floor, I thank her for her leadership on this Violence Against Women Act and for her statements on the sex trafficking bill. I look forward to working with her on both issues as we move forward. Hopefully, this will be cleared through the Senate and signed into law and we can take more actions and steps down the road to see that people are cared for in these terrible situations. I do appreciate her comments and her support. I thank the Senator.

I apologize for the interruption.

Mr. LEAHY. The Senator from Kansas does not have to make any apologies with all the work he has done on this. I appreciate him being here.

I yield 5 minutes to the Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I join with the others in thanking our colleague from Vermont, Senator LEAHY, for his leadership in this area and, of course, Senator BIDEN and other Senators who have spoken this morning on this important subject.

I want to follow up with what Senator LEAHY just said by sharing with him, and with all here, an unfortunate story that appeared recently in a newspaper out of Maryland where a 44-year-old man was convicted of raping an 18-

year-old girl who was unconscious from drinking.

Unfortunately, this judge is one of many judges, or at least too many—the number is too high—who are ignorant and uninformed. He said on the record in this particular case: “Finding an unconscious woman is a dream come true to a lot of men.”

Finding an unconscious woman is a dream come true to a lot of men.

I will submit this judge's name for the RECORD and will be writing him a personal letter, asking him, if he did make this statement which was reported, that he resign his seat immediately.

That is part of the problem we have in this Nation. The Senator from Vermont, as a former prosecutor, understands this well, that this problem is pervasive. It is a real shame in America—this country of freedom and order and democracy—that we still have a severe and serious problem of domestic violence.

Sometimes our Nation takes that extra step and goes that extra mile to stop violence on the street and to continue to support our police officers. Yet when it comes to stopping violence in our own homes, our Government falls short in terms of funding, in terms of research, in terms of education.

That is the hope that this act brings. It is to help move judges such as this off the bench; so when he is up for reelection, there is some education in the community that would force his either resignation or moving him off the bench through the election cycle.

There are prosecutors around the Nation, some of whom are more enlightened than others. But I will tell you of two in my State who are doing an outstanding job on this subject: DA Paul Connick from Jefferson Parish and DA Walter Reed from St. Tammany Parish.

We have many excellent DAs. But in the last few years, many of these DAs—99 percent of whom, I would imagine, in the Nation are male and who perhaps do not come to the subject from a very personal point of view—have been really educated because of the good work that has been done in this Congress and with groups all around this Nation.

These two particular DAs have instituted a very progressive policy which is basically a no-drop policy, which means that if a battered woman comes in to file a charge, the DA takes it upon himself, and basically the State and the county and the parish, even if she begins to back down because her self-esteem is not as strong as it should be, or she is understandably frightened, or she has been threatened if she does not drop the charges, to simply tell the abuser, when he comes in for his interview: I am sorry, we refuse to drop the charges. This is against you and me, buddy, basically, and we are going to see this to the end, where you can get the punishment coming to you.

They are really being very aggressive. I hope if other district attorneys or other staffers or folks and other elected officials are tuning in today, they will encourage district attorneys all over this Nation to take up the no-drop policy, because getting abusers convicted, getting them punished, and then getting them the right treatment for this is the only way we are going to stop this terrible tragedy from occurring.

There are so many things I could say about this subject, but I do think our leaders realize it is about education; it is about district attorneys; it is about judges, it is about the court system; it is not just about shelters and counseling and aid, which is so important. This is the first step, giving women a safe place to go, giving children a safe place to go. Our justice system must work for them. That is why this bill is so important.

My colleague from New Jersey is waiting to speak on the same subject. I thank Senator LAUTENBERG for his great leadership in this area. But let me just for the record read some recent headlines.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. LEAHY. Mr. President, I yield the Senator 2 more minutes.

Ms. LANDRIEU. I thank the Senator.

Mr. President, let me read some recent headlines from our national newspapers because the Senator was making an earlier point that I agree with, that this isn't just in poor neighborhoods; this isn't just in neighborhoods of people who have recently come to this Nation; this isn't about people who have not had a good education; this affects everyone in all walks of life.

“Popular Romance Novelist Shot and Killed by Estranged Husband,” an AP story from June 1999.

“Tommy Lee goes to jail for Wife Abuse,” from USA Today, in May 1998.

“Colorado Rockies Pitcher Arrested on Suspicion of Punching Pregnant Wife in Face,” from the Washington Post, August 1999.

“Number of Women Dying from Domestic Violence Holding Steady Despite Drastic Drop in Overall Homicide Rates,” San Francisco, February 1998.

Mr. President, we have to do a better job. We have to continue on this track. Violence has no place in our society—on our streets, on our playgrounds, or in back alleys. But it most certainly has no place in our homes where children grow up. If a home can't be safe, if a home can't provide peace for a child or a woman, as a person, where can they find peace, Mr. President? That is what this bill is about.

I think it is appropriate that the Violence Against Women Act will be passed with the Trafficking Victims Protection Act. It says that we understand that violence against women is a world wide problem.



In passing the Violence Against Women Act in 1994 we seized the opportunity to be a world leader—to take the stand that in the greatest democracy in the world it is unacceptable that such violence occurs.

We have spent \$16 billion on programs on education, assistance and prosecution. We must continue.

Every 5 minutes a woman is raped. Every day four women die as a result of domestic violence.

More women are injured by domestic violence than by automobile accidents and cancer deaths combined.

We have made progress but there is more to be done.

Here are some of the other statistics from that Tulane study:

More than eight of ten knew someone who had been murdered;

More than half had witnessed a shooting;

43% said they had seen a dead body in their neighborhood; and

37% of them were themselves victims of physical violence.

If we think that violence is something that only affects other countries we must think again. If we think that a bill like the violence against women's act only affects women we are wrong.

Studies show that a child's exposure to the father abusing the mother is the strongest risk factor for transmitting violent behavior from one generation to the next.

A significant number of young males in the juvenile justice system were from homes where violence was the order of the day.

Family violence costs the nation from \$5 to \$10 billion annually in medical expenses, police and court costs, shelters and foster care, sick leave, absenteeism, and non-productivity.

Last week I told you about a woman from my State, Jacqueline Gersfeld, who was gunned down by her husband outside a courthouse just moments after she filed for divorce.

The VAWA reauthorization includes a provision to expand the investigation and prosecution of crimes of violence against women.

The need for this is great 85% of all reported rapes end up with no conviction. Almost 90% result in no jail time.

In Baltimore, MD, a 44 year old man was convicted of raping an 18 year old girl who was unconscious from drinking. The judge in the case said the following on the record: "Finding an unconscious woman is a dream come true for a lot of men." And so he sentenced him only to probation.

Mr. LEAHY. Mr. President, I yield 10 minutes to the distinguished senior Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Mr. President, first, I thank my colleague, Senator LEAHY, for helping us get an addition

to this legislation that we think is critically important. I also extend my thanks to Senator BROWBACK of Kansas for his assistance in enabling us to get our particular section of this bill into place.

Mr. President, a light comes as a result of the fact that we have our female colleagues with us in this Senate. How hard they work to get things done on both sides of the aisle. What a difference it has made in the way we operate. Many of us were here before there was a reasonable presence of women—and it is not yet "reasonable"; I will strike that word. But that will change in time. We are getting there. They have helped to bring to the consciousness of all America the kinds of abuses that are perpetrated against women and young children who are female—disgusting practices that shock us all; trafficking in young women, forcing them into virtual slavery and being sexually exploited, and losing their identity in the process. It is a humiliation few can imagine. I commend the authors of this bill. Also, I commend them for including the section on violence against women.

Mr. President, 3 years ago, when we were hard at work trying to reduce gun violence in our society, I offered a piece of legislation to prohibit those who had even as little as a misdemeanor charge proven against them from getting guns. It was a tough battle, and we were on the losing side a couple of times, with the old song about it which is "the camel's nose under the tent, and you will be controlling guns," and so forth, instead of thinking about how many lives we would save. We know that about 150 times a year a woman has a gun pointed at her head—and I guess the reverse is also true occasionally—and is told, "I will blow your head off" in front of children. What kind of wounds does that leave even if the trigger isn't pulled? It is a terrible memory for all of those who are either victims or witnesses.

With the help of President Clinton, we were finally able to get a piece of legislation in a budget bill that had to be done—it is almost 4 years now, and it had to be done and it passed and was signed into law—to prevent spousal and children abusers from getting permits to own a gun. The result is that almost 35,000 gun permits have been denied to these people—35,000 potential opportunities for a man to put a gun against a woman's head and threaten to take her life. So I support this bill with these two sections. I have added a section—myself and Senator MACK of Florida—that talks about helping those who have been victims of terrorism, whether on our shores or away from America. American citizens are deserving of protection. I am pleased the Senate is going to pass this package of worthy legislation.

The underlying Trafficking Victims Protection Act addresses a very serious human rights issue in Europe and elsewhere, where people are trafficking particularly for sexual exploitation. Finally, we are taking action to combat trafficking and to help these victims. I am pleased that this conference report will also reauthorize the Violence Against Women Act and expand coverage to include new programs for immigrant women, elderly women, and women in the military service.

Throughout my career, I have worked to help prevent domestic violence. I strongly supported the original Violence Against Women Act, which Congress passed in 1994. I am so pleased that we are going to take care of those aberrations of behavior that leave women and families devastated. But we are getting onto another subject, as well, which I think is critical, and that is to provide justice for victims of terrorism as part of the trafficking victims protection conference report.

Mr. President, we all talk about our objections and abhorrence of terrorist attacks against American citizens, whether abroad or at home, and I had an experience that was almost in front of my eyes which shocked me and caused me to think about how we might prevent terrorism against our citizens at any time, at any place.

One of those victims was a young woman named Alisa Flatow. She was a junior at Brandeis University and she was studying in Israel for a time. In 1995, on April 9, she boarded a bus that took her from a place called Ashkelon to another destination. She never arrived. Shortly after noon, when the bus was in the Gaza Strip, a suicide bomber drove a van loaded with explosives into the bus. Seven passengers were killed. Alisa Flatow was among those injured. An Israeli Defense Forces helicopter rushed her to a hospital in a community nearby. It was the same day I arrived in Israel from a trip in the Middle East. When I arrived there, our U.S. Ambassador informed me of the terrible tragedy that had occurred and that one of them was a constituent from New Jersey and that she had been severely injured in that attack. I immediately reached her home in West Orange, NJ, an area very familiar to me because I lived near that neighborhood.

I spoke to her mother, Rosalyn, and was informed that Alisa's father, Steve, was already on his way to Israel. By the time he arrived, the emergency surgery had failed to save his daughter's life. She died on April 10. She was 20 years old.

For any of those who have children, they know that 20 years of age is almost the beginning of life.

I have three daughters and a son. Those were marvelous years as they approached the end of their college terms and prepared for life beyond.

But that didn't prevent a faction of the Palestinian Islamic Jihad from claiming responsibility and being proud of what they did with that suicide bombing. What good was it going to do their cause to have one mission of terrorists to frighten people and prevent them from conducting their lives as they would like to without any specific gain to be had?

There was a sponsor who paid something to somebody to have these young people assassinated. It was Iran. That is one of the reasons that country is still on the State Department's list of terrorist countries.

I want to tell you, Mr. President, that I am befuddled by some of the policy decisions we make.

The PRESIDING OFFICER. The Senator's 10 minutes has expired.

Mr. LAUTENBERG. I ask if I can have 5 more minutes.

Mr. LEAHY. I yield 5 more minutes to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. I thank Senator LEAHY.

There is no stronger advocate for the protection and safety of our citizens than President Clinton. But I don't understand why we take a country such as Iran and start to deal with them in trade of insignificant items. Would you believe—I am almost embarrassed to say it—that caviar, pistachio, Persian rugs are vital items for the well-being of our society? It is outrageous.

But there are differences in point of view. I am not a professional diplomat. Maybe I fail to understand the longer term value of something that looks trivial to me as I express myself.

For the past five years, I have been proud to stand with Steve Flatow in his effort to achieve some measure of justice for the killing of his daughter. He and I both want to hold Iran accountable.

But Alisa Flatow was not Iran's only victim. Matt Eisenfeld of Connecticut and Sarah Duker of New Jersey, a young American couple in Israel, also were killed in 1996 when a suicide bomb from an Iran-sponsored group ripped through a bus they had boarded.

One cannot comprehend what these missions are supposed to accomplish.

I don't want to bring the situation in Israel and the Middle East up to a full-scale debate at this moment. But there can be nothing gained by assaults against people or their property.

I made a speech yesterday in which I pleaded with Mr. Arafat to stop the hatred of his people; to stop the inflammation; to stop the propaganda that induces this kind of hatred and action; to stop ugly cartoons about people who inhabit Israel, the Jewish community; and to stop the anti-Semitic diatribes that still occur in Palestine. Stop it; stop it.

Well-known journalist Terry Anderson and others were held hostage in

Lebanon in the late 1980s by captors funded by Iran.

They and their families also deserve justice, as do the families of those killed when the Cuban government in 1996 deliberately shot down two planes used by Brothers to the Rescue.

Mr. President, The Antiterrorism Act of 1996 gave American victims of state-sponsored terrorism the right to sue the responsible state.

The law carved out a deliberately narrow exception to the sovereign immunity protections our laws afford other countries.

The PRESIDING OFFICER. The Senator's 5 minutes has expired.

Mr. LAUTENBERG. Mr. President, I ask the Senator from Vermont if I may have 5 more minutes.

Mr. LEAHY. Mr. President, I yield an extra 5 minutes to the Senator from New Jersey, especially because of the tremendous work he has done along with the Senator from Florida, Mr. MACK, on this subject. I think they have had to overcome so many obstacles and so many mysterious holds on their legislation. I, of course, yield 5 more minutes to the Senator.

Mr. LAUTENBERG. I thank the Senator from Vermont not only for his graciousness in extending to me additional time but for the help and guidance that he gave as we tried to put this piece of legislation into law.

Our goal then, and our goal now, is to allow American victims to receive some measure of justice in U.S. courts and to make state sponsors of terrorism pay for the death and devastation they have wrought.

Victims of terrorism have put the 1996 law to good use. The Flatow family won a U.S. court judgment against Iran in 1998. Other victims of terrorism won similar cases.

The Justice for Victims of Terrorism Act helps the victims collect compensatory damages they've won fair and square in our nation's courts.

Foreign countries that sponsor terrorism should have to pay for the awful toll that terrorist attacks take on families like the Flatows. And we hope that making terrorist states pay that price will deter them from sponsoring terrorism in the future.

Let me close, by thanking the many cosponsors and Senators who have helped advance this legislation. I particularly would like to thank Senator MACK, who has been with me every step of the way, and Gary Shiffman on his staff.

I also want to thank Frederic Baron of my staff who worked so hard on this bill.

I think this bill is a good example of bipartisan cooperation for a worthy cause—helping provide justice for American victims of terrorism abroad.

I am sure this legislation will pass overwhelmingly, but I want this message to go out across this globe: that if

you sponsor terrorism against American citizens, you will pay a price. We ought to be unrelenting in that. I was proud of our country when we moved against Afghanistan to pay for the perpetrators of dastardly acts against American citizens and their interests.

We can never step aside and argue whether or not it is appropriate. We have to find out by testing the waters, by making sure that the legislation is there. If there is a challenge, so be it. But we have to indicate we will not stand by and let this happen without repercussions to those who sponsor terrorism.

I yield the floor.

The PRESIDING OFFICER (Mr. ROBERTS). The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I thank the Senator from New Jersey and the Senator from Florida for their excellent work. I want to take a moment to engage in a colloquy with Senator BROWNBACK to clarify a phrase in division A of the bill. In order to be eligible for the visa provided, the traffic victim would be required to prove she would face "extreme hardship involving unusual and severe harm."

This is a new standard under the Immigration and Nationality Act. Can the Senator explain why this new standard was created?

Mr. BROWNBACK. I am happy to respond to the Senator from Minnesota.

This was raised in conference committee under thorough discussion about this new standard of "extreme hardship involving unusual and severe harm." There was a fear on the part of some conferees that some judicial interpretations over the term "extreme hardship" might be too expansive; specifically, the conferees objected to an interpretation that the applicant could prove "extreme hardship" by showing he or she would miss American baseball after being deported from the United States. So this language should be interpreted as a higher standard than some of these expansive interpretations of "extreme hardship."

At the same time, however, this language should not exclude bona fide victims who would suffer genuine and serious harm if they were deported. There is no requirement that the harm be physical harm. I repeat, there is no requirement that the harm be physical harm or that it be caused by the trafficking itself. The harm or the hardship does not have to be caused by the trafficking itself. The purpose of inserting the phrase "unusual and severe" is to require a showing that something more than the inconvenience and dislocation that any alien would suffer upon removal might occur.

I wish to make it clear in future interpretations of this act, while this is higher than extreme hardship, it doesn't require physical harm; it doesn't require the harm be associated

with the trafficking, to be able to allow an American to qualify under this new definition within the act.

I thank my colleague from Minnesota for allowing me the opportunity to clarify this particular issue.

Mr. WELLSTONE. I thank the Senator for his clarification.

We have been talking about the trafficking legislation. Before a final vote, I want to get back to that legislation. I think it is such an important human rights effort.

I will talk about the reauthorization of the Violence Against Women Act and make a couple of points. Again, to have a vote on legislation that goes after this egregious practice of trafficking of women and girls for the purposes of forced prostitution and forced labor is important to our country and to the world. Then to have reauthorization of the Violence Against Women Act also makes this a doubly important bill. I am so pleased to be on the conference committee and to be able to be a part of helping to make this happen.

I thank Senator BIDEN, I thank Senator HATCH, and I thank Senator LEAHY and others, for including in this bill authorization for what we call safe havens or safety visitation centers. Let me explain by way of example from Minnesota. I need to honor these children, and I need to honor their mother. Anyone from Minnesota will remember the case of Alex and Brandon, seen in this picture; two beautiful boys. It was these two boys and what happened to them that made me understand the importance of safety visitation centers more than anything else that could ever have happened.

On July 3, 1996, Brandon, who was 5, and Alex, who was 4, were murdered by their father during an unsupervised visit. Their mother, Angela, was separated from Kurt Frank, the children's father. During the marriage, she was physically and emotionally abused. Angela had an order of protection against Kurt Frank, but during the custody hearing she requested her husband not be allowed to see the children in unsupervised settings. The request he see the children only in supervised settings was rejected by the judge. Kirk Frank was able to see his sons with no supervision. When he did, and God knows why, he killed them. We have a center now, that the community supports, which is a safety visitation center.

The point is this: There are two different examples. Say a woman has been battered. And please remember, every 13 seconds a woman is battered in the country. Say she has had the courage to get away, to end this marriage. There is a separation going on and a divorce; you are still not necessarily going to say the father can't see the child, but if the father comes to the home to pick up the child, he steps inside the home and then battering can

start again. There is no protection. If you can do it at the safe havens, supervision centers, you can protect the woman and you can protect the children.

Or it might be the case where you are worried about the threat of a father to the children, but you cannot say a father can't see the child; with a supervised visitation center the father can see the children there.

This is really important. We are working very hard right now with Senator HOLLINGS to get some funding. I am pleased this is a part of this legislation.

I say to colleagues, this was the work of Jill Morningstar on my staff, who, with my wife Sheila, made a lot of progress. It is so important to reauthorize. The hotline is important; the training for police is important; the support for law enforcement is important; the support for battered women shelters is so important for the people who are there in the trenches. All of this matters. The focus on rural communities and support in rural communities is important, as well. It has made a difference, a big difference.

In my State of Minnesota, this year already 33 women have been murdered. Each case is an example of "domestic violence." Last year, in the whole year, it was only 28. The year is only half over and we have already had 33 women who have been murdered. Clearly, we are going to have to do a lot more. To reauthorize this bill today is a huge victory.

Mr. President, I think it should whet our appetite to do much, much more. I am absolutely committed to making sure we do more to provide some support for children who witness this violence in their homes. These kids run into difficulty in school. These kids, quite often, run into trouble. These children are falling between the cracks and there is no real support for them.

There is another piece of legislation—and I hope to get it in the bill—I am very excited about Day One in Minnesota where we want to make sure all of the shelters are electronically wired so with one call to the hotline, a woman will know where she and her children can go. Rather than calling, being told there is no space, and then not knowing where to go, it should only take one call. That is very important.

Then, there is a whole set of initiatives that would enable women to be more independent, to get more support to be more independent—whether it be affordable housing, whether it be family and medical applied to women in this situation, whether it be more job training—you name it. This will enable women to be put in a position where they are not unable or unwilling to leave a very dangerous situation for themselves and their children.

I say to colleagues, I am so pleased we are going to pass this conference re-

port with an overwhelming vote. I am pleased to be a part of helping to work out this agreement. But I also think clearly, more than anything else, this ought to make us more determined to do much more. Again, about every 13 seconds a woman is battered in her home today in our country.

I will take a little more time to talk about the trafficking bill, since both these bills are linked together, to again make the point for all my colleagues, Democrats and Republicans alike, it is critically important to vote for this conference report, to keep this conference report intact.

I will keep thanking Senator BROWNBACK. It has been great to work with him. I thank him for his fine work.

We are talking about 50,000 women, girls, trafficked to our country. We are talking about 2 million worldwide. We are talking about women, sometimes girls as young as 10 or 11, coming from countries where there is economic disintegration. They are trying to figure out a way they could go somewhere and they are told they could become waitresses. They are told there is a job.

When they arrive, their visas are taken away from them; they are beaten; they don't know the language; they don't know their rights; and they are forced into prostitution. We had a massage parlor 2 miles from here in Bethesda which was staffed mainly by Russian-Ukraine women. That is one example. This is one of the grimmest aspects of the new global economy. It is, in many ways, more profitable than drugs because these women and girls are recyclable. It is that God-awful. In the year 2000, this legislation is the first of its kind in this country. It is a model for many other governments around the world.

We put a focus on three "P's": No. 1, prevention, getting the outreach work done to other nations so these young girls and women will know what they are getting into and have some understanding what these traffickers are about. No. 2, protection, so when a girl steps forward, then she is not the one who pays the price. Right now there is no temporary visa protection so if you were to try to get out of this you are the one who is deported. In the meantime, these traffickers go without any punishment, which is something I want to get to in a moment. So you want to provide that protection. You also want to provide services for these young women to be able to rebuild their lives after they have been through this torture. It is torture. And finally, No. 3, prosecution. Right now our law enforcement community tells us they want to go after them but they do not have the laws. What we are saying is, if you are involved in this trafficking, you are going to face stiff sentences. If you are involved in the trafficking of a girl under the age of 14, you can face a

life sentence. So there is a very strong part of the provision dealing with punishment.

We also have a listing of countries where this is happening, with a special focus on governments that are complicit in it. The President can take action against those governments, but there are also security waivers and other waivers. It is a balanced piece of legislation. I am proud of it. I think it will make a difference.

I think it is terribly important. I read some of these examples before. Let me give a couple of examples right now of what is happening in the year 2000.

In Los Angeles, where traffickers kidnapped a Chinese woman, raped her, forced her into prostitution, posted guards to control her movements, and burned her with cigarettes, the lead defendant received 4 years and the other defendants received 2 to 3 years for this offense.

In another case where Asian women were kept physically confined for years, with metal bars on the windows, guards and an electronic monitoring system, and were forced to submit to sex with as many as 400 customers to repay their smuggling debt, the traffickers received between 4 and 9 years. This is the year 2000 we are talking about.

Then I gave the example of a 1996 trafficking case involving Russian and Ukrainian women who would answer ads to be au pairs, sales clerks, and waitresses but were forced to provide sexual services and live in a massage parlor in Bethesda, MD. The Russian-American massage parlor owner was fined. He entered a plea bargain, the charges were dropped, with the restriction he would not operate a business again in Montgomery County. The women, who had not been paid any salary and were charged \$150 for their housing, were deported or left the country.

This is what we are dealing with right now. There was a case involving 70 deaf Mexicans that my colleagues may remember, who were held under lock and key, forced to peddle trinkets, who were beaten and in some cases tortured. The leader received 14 years and the other traffickers from 1 to 8 years.

We intend to take this more seriously. Let me give one other example. *The United States v. Hou*, several Mexican nationals, all illegally in the United States, were required to live in one of the chicken sheds at an egg ranch. The shed was open to the elements. The defendants, man and wife, did not give the men any shelter, but encouraged them to build a small room out of cardboard and styrofoam egg cartons.

The men lived less than 15 feet from the chickens they tended. The men had to spread powerful pesticides in and around the chicken sheds, and the

chemicals and various fuel oils were stored immediately next to their cardboard room. Faulty wiring in the rickety building resulted in a fire. One of the workers was killed as he tried to escape the shed and another suffered horrible burns. Despite the atrocious conditions, there was no evidence that the men had been kept in the defendants' service through threats of force or violence; the men stayed in the shed because Ms. Hou preyed upon their lack of English-speaking ability and lack of immigration status, deliberately misleading the victims and convincing them there was nowhere else to go.

Because the labor of the workers was maintained through a scheme of non-violent and psychological coercion, the case did not fall under the involuntary servitude statutes—which could have resulted in life sentences given the death of one of the victims. Our legislation changes that. That is why this legislation is so important. No longer in the United States of America are we going to turn our gaze away from this kind of exploitation, to this kind of murder of innocent people.

This is a real commitment by the Senate and the Congress to defend human rights. This is a good piece of legislation.

I yield the floor.

THE PRESIDING OFFICER. The distinguished Senator from Kansas.

MR. BROWNBACK. Mr. President, I wish to speak on a couple of other provisions in this bill to clarify those for Members. We will be voting on it later today. If others of my colleagues desire to speak on this bill, I urge them to come to the floor and speak now or forever hold their peace on this particular piece of legislation.

The item I wish to speak on now is Aimee's law. This is a part of this overall conference report that has passed the House, as I mentioned, by 371-1. Aimee's law was prompted by the tragic death of a college senior, Aimee Willard, who was from Brookhaven, PA, near Philadelphia. Arthur Bomar is a convicted murderer who was earlier paroled from a Nevada prison. Even after he had assaulted a woman in prison, Nevada released him early. Bomar traveled to Pennsylvania where he found Aimee. He kidnapped, brutally raped, and murdered Aimee. He was prosecuted a second time for murder for this terrible crime in Delaware County, PA.

Aimee's mother, Gail Willard, has become a tireless advocate for victims' rights and serves as an inspiration on this particular piece of legislation.

This important legislation would use Federal crime-fighting funds to create an incentive for States to adopt stricter sentencing laws by holding States financially accountable for the tragic consequences of an early release which results in a violent crime being per-

petrated on the citizens of another State. Specifically, Aimee's law will redirect Federal crime-fighting dollars from a State which has released early a murderer, rapist, child molester, to pay the prosecutorial and incarceration costs incurred by a State which has had to reconvict this released felon for a similar type of crime.

More than 14,000 murders, rapes, and sexual assaults on children are committed each year by felons who have been released after serving a sentence for one of these very same crimes.

Convicted murderers, rapists, and child molesters who are released from prisons and cross State lines are responsible for sexual assaults on more than 1,200 people annually, including 935 children, including Aimee Willard.

The reason I point this out is because Aimee's law previously passed this body by a vote of 81-17. As I mentioned, it redirects Federal crime funds from a State that has released early a murderer, rapist, or child molester, to pay the prosecutorial and incarceration costs incurred by a State which has had to reconvict this felon for a similar crime.

The formula for early release is if the criminal served less than 85 percent of his original sentence, and if a State kept a criminal in prison less time than the national average for a sentence of the same crime.

To counter concerns raised by the National Governors' Association, this does not federalize any crimes. I emphasize that, it does not federalize any crimes. It simply upholds State standards regarding murder, rape, and child molestation.

Sex offenders have one of the highest recidivism rates of any crime, thus, requiring more stringent standards in amount of the sentence served.

This only affects Federal crime funds which are transferred from State 1 to State 2 where a crime has been committed of a similar type by the criminal who was released early from State 1.

The reason I go through this at some length is because some of my colleagues have a concern about this. I understand there will be a point of order raised against this as being part of the overall package. There will be a vote on that point of order.

If people want to get this bill dealing with sex trafficking, the Violence Against Women Act, the international terrorism aspect of this bill, the Internet alcohol enforcement of this bill through, they need to vote against those who seek to strip this particular provision out of the bill because if they strip this provision out, the bill has to go back to the House for it to be voted on, and it will have to be voted on again in the Senate.

We do not have the time to do it. It will kill the bill. If people vote to strip this provision out of this particular bill

and send it back to the House, and it has to come back here, it will kill the bill. We do not have time to do that.

While some raise federalism arguments, most of our colleagues have already voted in favor of Aimee's law; 81 have voted in favor of it already. There are some arguable federalism principles involved. I think most of those have been worked out with the National Governors' Association. There is a strong advocacy group that has worked to get these standards where, if a person has been convicted in one State, they should serve their time rather than being released to commit a similar crime in another State. That is the direction of this.

I plead with my colleagues: Do not remove this provision. Do not support the point of order because, if you do, it is going to kill everything. It will kill the sex trafficking bill. It will kill the Violence Against Women Act. Do not do it. Most people have already supported this particular provision, Aimee's law.

I wish to say a couple of things on other issues before we break for the policy luncheons. I particularly appreciate my colleagues, Senator LAUTENBERG and Senator MACK, for their provisions on the Justice for Victims of Terrorism Act. I understand Senator HATCH will speak later about the 21st Amendment Enforcement Act on VAWA. We have had an excellent discussion this morning on the importance of this legislation protecting women who are subject to domestic violence. This is reauthorization of important language and important legislation and strengthening of it as well. That is an important feature.

I appreciate Senate majority leader TRENT LOTT bringing this issue to the floor. It is a good package of protection for both domestic and international women and children subject to violence. That is the theme that runs through this set of acts. It is protection for women, protection for children, protection domestically, and protection internationally.

I am very pleased with this legislation. It is a key piece of legislation to pass during this session of Congress to provide that level of protection. I am glad it has been done on a bipartisan basis. Mostly my colleagues from the other side of the aisle have spoken this morning supporting this legislation. Support is similarly strong on our side of the aisle. It is good to have that support back and forth.

Rather than using up the rest of my time, I simply say to my colleagues who want to speak, please come to the floor. I anticipate we will be voting on this legislation by the middle of the afternoon. We will be recessing for policy luncheons from 12:30 p.m. until I believe 2:15 p.m., which is the normal recess time.

This will be a good time for people to comment on this important legislation.

I plead with them: Do not strike this particular provision, Aimee's law, because it will sink the entire bill. It is a good bill. It is good legislation. It previously passed both Houses overwhelmingly. Let's get it done.

I reserve the remainder of my time, and I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, I yield the distinguished Senator from New Mexico time off my time. I yield to him for another purpose, and once he speaks, I am sure the Chair will understand the reason. I yield to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, I thank my colleague for his courtesy in yielding me some time. I ask unanimous consent that I be allowed to speak as in morning business for 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. BINGAMAN are located in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I reiterate something the Senator from Kansas and the Republican floor leader on this bill have said, and that is that we hope, because of the request of a number of Senators on both sides of the aisle, to get these votes on both the Thompson point of order and final passage sometime midafternoon today. As one who holds the largest bulk of the individual time, I alert my colleagues that after the distinguished Senator from Utah and the distinguished Senator from Delaware, I will yield back the remaining part of that time which will move up somewhat the time of the vote.

The reason, incidentally, I have reserved the bulk of my time is to protect a number of Senators who wished to speak. I think virtually all of them have spoken. At least one of the Senators who would have wished to speak, the Senator from California, Mrs. FEINSTEIN, has just undergone surgery for an accident to her leg and is not going to be here, although, of course, any statement by her will be printed in the RECORD. But the others have spoken.

Mr. President, I am glad that the Senate is finally taking up this conference report. Unlike the conference on the Hatch-Leahy juvenile justice bill that passed the Senate in May 1999 with a bipartisan majority of 73 votes, and so many other matters that are still left undone by this Congress, we have an opportunity through this conference report to come to conclusion on three items that I have supported and tried to pass for many months. Unfortunately, there are two additional, ex-

traneous items that were added over my opposition and that should not have been added to this conference report at all. I will speak on each of these matters.

At the outset, I want to acknowledge the important work of Representative CONYERS in the House, who has been a stalwart and consistent supporter of the Violence Against Women Act of 2000. Without his cooperation and support and the hard work of his staff, we would not be standing here today. I also want to pay tribute to the efforts of Senators BOXER, MIKULSKI, LINCOLN, LANDRIEU, MURRAY and FEINSTEIN. Their efforts throughout this Congress, including in the last several days, have made the difference in our ability to move forward to begin this debate today.

With Senators KENNEDY, BIDEN, SPECTER, SMITH and so many others, I have been urging the Republican leadership to take up and pass the Violence Against Women Act of 2000 for some time. I had to urge action by the Judiciary Committee for several weeks before we were finally able to have it added to the agenda on June 15, 2000. It was reported unanimously the same month. Over the last several months since this legislation was reported, I have worked and prodded and pushed along with our Democratic Leader Senator DASCHLE, Senator REID, Senator DURBIN, Senator ROBB, Senator BINGAMAN and others on both sides of the aisle to try to get this matter taken up and passed without further delay.

The President of the United States wrote the Majority Leader back on September 27, 2000 urging passage. The First Lady and the Vice President had previously called for passage back in June at the time of the Judiciary Committee markup. The Violence Against Women Act of 2000 is a matter upon which we need to act.

I addressed this matter twice on the Senate floor in late September when an effort was being made by some on the Republican side of the aisle to try to use VAWA as a vehicle to force consideration of a flawed bankruptcy bill or to override Oregon state law. I said that playing political games with this important legislation was the wrong thing to do and that VAWA should not be used as leverage to enact less worthy provisions. Unfortunately, the Republican leadership in the Senate has been adamant in its refusal to take up and consider VAWA as a stand alone matter, even after the House passed its bill by a 415 to 3 vote. While we have been successful in preventing VAWA from being used as a vehicle for some measures, thanks in part to the President pro tempore Senator THURMOND and Senator BROWNBACK honoring commitments they made to me in order to go to conference, we have not been wholly successful and two additional and unfortunate riders are included

over my objection in this conference report.

Due to their dilatory tactics, VAWA was allowed by the Republican leadership to lapse on Saturday, September 30, despite the fact that it has served the women of this country well and the measure had passed the House by a vote of 415 to 3. Such inaction by the current Senate majority is not limited to reauthorization of VAWA. Congressional leaders have continued to drag their feet on enacting comprehensive juvenile crime prevention and enforcement legislation and reasonable gun safety measures, which have been stalled in conference for over a year. Judicial vacancies around the country and most acutely in our federal courts of appeals remain vacant month after month, year after year, while qualified women and men cannot get a hearing or a vote. Legislation to extend the Campbell-Leahy program to help provide bulletproof vests for local law enforcement officers was the victim of a secret hold in the Republican Senate cloakroom. Important intellectual property legislation is stalled without explanation by a similar anonymous hold on the other side of the aisle. And hate crime legislation, the Local Law Enforcement Enhancement Act of 2000, has been dropped in conference in spite of the votes in both the Senate and House approving it.

I am pleased that we will finally be able to reestablish the Violence Against Women Act, a law that makes such a profound difference in the lives of women and families who fall victim to domestic violence. I would not normally support efforts to add extraneous items in a conference report. In this case, in light of the unwillingness of the Senate Republican leadership to allow the Senate to act on the Violence Against Women Act of 2000 and the lapse of its authorization, I joined with Senator BIDEN and Senator HATCH to add it to the sex trafficking conference report we now consider.

I agreed with Senator BIDEN's assessment that in light of its importance and the resistance we have seen from the Senate Republican leadership to proceed to the VAWA bill for a straight up or down vote, this was the only way we would ever be able to get it considered by the Senate this year. I commend Senator BIDEN for making clear at the second and last meeting of the conferees on September 28th that he intended to insist on the conference reauthorizing the Violence Against Women Act. Indeed, I had raised it at our initial meeting of conferees as the one thing we should consider adding to this bill, if anything extraneous was to be considered.

Unfortunately, when we voted on adding VAWA to the conference report, only three Senate conferees voted to support it—Senators BIDEN, HATCH and me—and the other four Senate con-

ferees all voted against. I am glad that over the ensuing days, the other four Senate conferees and the House conferees, whose votes initially seemed to doom this effort, have reversed position and joined with us to add VAWA into this conference report. I am glad that others agree with us that while we need to address the tragic plight of women who are brought to the United States, we need to pass reauthorization of VAWA to help battered women in this country, as well.

Although a conferee, I did not sign the conference report that we consider today. It may come as a surprise to some who have served in this body and remember how conferences are supposed to proceed, that I was not given an opportunity to consider the final report or to sign before it was filed. Indeed, after a second short meeting of conferees, the final meeting, which had been promised so that we could finalize our action, never occurred. Side deals were struck and broken and revised and implemented without resuming the conference. Legislating around here has come to resemble the television program "Survivor" more than the process intended by the Constitution or our Senate rules. We have all become increasingly accustomed to shortcuts in the legislative process, but we are now getting to the point that once sufficient numbers of signatures are obtained on a conference report, once an alliance has formed, conferees from the minority may not even be accorded an opportunity to view the final package let alone asked for their views. In this matter, after I had worked to ensure that VAWA was included in the conference report, I was treated like a member of the ill-fated Pagong tribe.

Had I been consulted we might have avoided the extended debate and point of order that Senator THOMPSON is bringing today. I was able to intervene just before the filing of the conference report when I obtained a draft that showed the elimination of the small state minimum funding level in certain grant programs. These eliminations would have been such a disaster for Vermont, New Hampshire, Delaware, Utah, Alaska and so many small and rural states that I had raised a strong objection and the small state minimum of \$600,000 for shelters was restored by a last-minute handwritten change to the final conference report.

Unfortunately, while this conference report contains provisions that enjoy broad bipartisan support and will make a positive contribution to the well-being of many people, the Republican majority could not resist loading this conference report with other legislative proposals that are so problematic they could not have passed as stand-alone measures in this or any other Congress.

Let me begin by reviewing the positive parts of this conference report.

These are the reasons that, last Friday, our colleagues in the House passed the Conference Report on Victims of Trafficking and Violence Protection Act 371 to 1.

The trafficking of people for the illicit sex trade or slave labor is plainly abhorrent. This conference report partially addresses that problem by providing additional authority to law enforcement and offering visas to victims of severe trafficking, among other measures. Those who have experienced the horror of trafficking and are willing to assist law enforcement in prosecuting trafficking should receive the option of staying in the United States. The law enforcement and immigration measures in this report are the result of compromises reached between both Houses and both sides. In some cases, especially in the immigration area, these provisions are not as generous as I and many other members of this conference would prefer.

This bill will also insist that information about severe forms of trafficking in persons be provided in the annual State Department Country Report for each foreign country, an important step forward in our attempts to raise consciousness about this issue. It also provides for the establishment of an Inter-Agency Task Force to monitor and combat trafficking, with annual and interim reports on countries whose governments do not comply with the minimum standards. The bill calls upon the President to establish initiatives to enhance economic opportunity for potential trafficking victims, such as microcredit lending programs, training, and education.

As someone who has been a strong supporter of human rights, both in the United States and abroad, I am pleased to be associated with this attempt to reduce trafficking and protect its victims. I hope that the Senate can also turn its attention to human rights issues that affect immigrants who arrive in the United States willingly. In particular, I request that the Senate consider S. 1940, the Refugee Protection Act, a bill I have introduced with Senator BROWBACK that would restrict the use of expedited removal to times of immigration emergencies. Under expedited removal, those who flee persecution in their home countries face automatic removal from our country if they are traveling without documents, or even with documents that are facially valid but that an INS officer suspects are invalid. The limited protections that were built into this process when it was adopted in 1996 have proven insufficient, and we are receiving continuing reports of people in real danger being forced to leave the United States without even a hearing. This is simply inappropriate, and does an injustice to our nation's reputation as a haven for the oppressed.

As I already noted, reauthorization of the Violence Against Women Act, or

VAWA II, was also added to this report with strong bipartisan support. This is a particularly appropriate bill to add to this conference report. As the conference report states, "[t]raffickers primarily target women and girls, who are disproportionately affected by poverty, the lack of access to education, chronic unemployment, discrimination, and the lack of economic opportunity in countries of origin." VAWA II contains a number of important programs to protect women and children in this country, and would complement the goals of this legislation.

I witnessed the devastating effects of domestic violence early in my career as the Vermont State's Attorney for Chittenden County. In those days, long before the passage of the VAWA, Vermont lacked the support programs and services to assist victims of domestic violence. Today, because of the effort and dedication of people in Vermont and across the country who work on these problems every day, an increasing number of women and children are receiving help through domestic violence programs and shelters around the nation.

Six years ago, VAWA passed Congress as part of the Violent Crime Control and Law Enforcement Act. That Act combined tough law enforcement strategies with safeguards and services for victims of domestic violence and sexual assault. I am proud to say that Vermont was the first State in the country to apply for and receive funding under VAWA. Since VAWA was enacted, Vermont has received almost \$14 million in VAWA funds. Since the passage of VAWA in 1994, I have been privileged to work with groups such as the Vermont Network Against Domestic Violence and Sexual Assault and the Vermont Center for Crime Victim Services and countless advocates who work to stop violence against women and who provide assistance to victims.

This funding has enabled Vermont to develop specialized prosecution units and child advocacy centers throughout the state. Lori Hayes, Executive Director of the Vermont Center for Crime Victim Services and Marty Levin of the Vermont Network Against Domestic Violence and Sexual Abuse have been especially instrumental in coordinating VAWA grants in Vermont. Their hard work has brought grant funding to Vermont for encouraging the development and establishment of arrest policies for combating rural domestic violence and child abuse. These grants have made a real difference in the lives of those who suffer from violence and abuse. Reauthorization of these vital programs in VAWA II will continue to build on these successes.

VAWA II continues to move us toward reducing violence against women by strengthening law enforcement through the extension of STOP grants,

which encourage a multi-disciplinary approach to improving the criminal justice system's response to violence against women. With support from STOP grants, law enforcement, prosecutors, courts, victim advocates and service providers work together to ensure victim safety and offender accountability.

The benefits of STOP grants are evident throughout Vermont. With STOP grants the Windham County Domestic Violence Unit, the Rutland County Women's Network and Shelter and others like them have enhanced victim advocacy services, improved safety for women and children, and ensured that perpetrators are held accountable. The Northwest Unit for Special Investigations in St. Albans, Vermont, established a multi-disciplinary approach to the investigation of adult sexual assault and domestic violence cases with the help of STOP funds. By linking victims with advocacy programs at the time of the initial report, the Unit finds that more victims get needed services and support and thus find it easier to participate in the investigation and subsequent prosecution. The State's Attorney's Office, which has designated a prosecutor to participate in the Unit, has implemented a new protocol for the prosecution of domestic violence cases. The protocol and multi-disciplinary approach are credited with an 80 percent conviction rate in domestic violence and sexual assault cases.

Passing VAWA II will continue grants that strengthen pro-arrest policies and enforcement of protection orders. In a rural state like Vermont, law enforcement agencies greatly benefit from cooperative, inter-agency efforts to combat and solve significant problems. Last year, approximately \$850,000 of this funding supported Vermont efforts to encourage arrest policies.

Vermont will also benefit from the extension of Rural Domestic Violence and Child Victimization Enforcement Grants under VAWA II. These grants are designed to make victim services more accessible to women and children living in rural areas. I worked hard to see these provisions included in the original VAWA in 1994, and I am proud that its success has merited an increased authorization for funding in VAWA II. Rural Domestic Violence and Child Victimization Enforcement Grants have been utilized by the Vermont Network Against Domestic Violence and Sexual Assault, the Vermont Attorney General's Office, and the Vermont Department of Social and Rehabilitation Services to increase community awareness, develop cooperative relationships between state child protection agencies and domestic violence programs, expand existing multi disciplinary task forces to include allied professional groups, and create local multi-use supervised visitation centers.

VAWA II also reauthorizes the National Stalker and Domestic Violence Reduction Grant. This important grant program assists in the improvement of local, state and national crime databases for tracking stalking and domestic violence. As we work to prevent violence against women, we must not forget those who have already fallen victim to it. VAWA II recognizes that combating violence against women extends beyond providing assistance to victims, it includes preventing women from becoming victims at all.

The National Domestic Violence Hotline, which has assisted over 180,000 callers, will continue its crucial operation through the reauthorization of VAWA. Much like the state hotline that the Vermont Network Against Domestic Violence and Sexual Assault helped establish in Vermont, the National Hotline reaches victims who may feel they have nowhere to turn.

I am especially pleased to see that VAWA II will authorize a new grant program for civil legal assistance. In the past, funding for legal services for victims of domestic violence was dependent on a set-aside in the STOP grant appropriation. This separate grant authorization will allow victims of violence, stalking and sexual assault, who would otherwise be unable to afford professional legal representation, to obtain access to trained attorneys and advocacy services. In my State, Vermont Legal Aid, the Vermont Network to End Domestic Violence and the South Royalton Legal Clinic of Vermont Law School are currently involved in a collaborative project to expand civil legal assistance services to domestic violence victims across the state. These three organizations are partnering to create Intensive Service Teams that will provide coordinated civil legal assistance and victim advocacy in Rutland County and the Northeast Kingdom. Grants such as this one that support training, technical assistance and support for cooperative efforts between victim advocacy groups and legal assistance providers will continue to prosper under VAWA II.

I remain concerned, however, over a highly objectionable provision that prohibits any expenditure of the civil legal assistant grant funds to support litigation with respect to abortion. Currently, the Legal Services Corporation (LSC) operates under two abortion-related restriction provisions: The 1974 LSC statute bans the use of federally appropriated Corporation funds for legal assistance for any abortion-related proceeding or litigation. Additionally, an appropriations rider to the Commerce-Justice-State appropriations bill restricts LSC funds from use by any person or entity that participates in abortion-related litigation.

The language in VAWA II bill reaches further, in the sense that it would ban



more organizations than just LSC from spending funds on abortion-related litigation. Under the Senate language, grants can be made to private, non-profit entities, Indian tribal governments, and publicly funded organizations such as law schools. These grantees are certainly worthy and appropriate to provide these services generally; the objection is solely that they should not be gagged from providing abortion related legal assistance. I am concerned about the precedent this provision would set in expanding the restriction on abortion-related litigation to other programs and organizations. I think this kind of language should give us pause as we consider the effect it would have on victims who, in the face of domestic violence, sexual assault in family relationships, incest or rape, must run a gauntlet of congressionally imposed barriers in order simply to obtain full and complete information about their comprehensive health-care options.

The original VAWA authorized funding for programs that provide shelter to battered women and children. I am pleased to see that VAWA II expands this funding so that facilities such as the Women Helping Battered Women Shelter in Burlington, Vermont, and the Rutland County Women's Shelter in Rutland, Vermont will continue to serve victims in their most vulnerable time of need. As I have noted, at one point I obtained a draft conference report that had dropped the \$600,000 small state minimum funding these grants. I am relieved that my objection was heard and the minimum restored.

As glad as I am that we are finally reauthorizing VAWA, this is not the version of VAWA that I cosponsored and supported in the Judiciary Committee and urged the Senate to enact. In fact, this is not the VAWA II bill that was negotiated among staff at a bipartisan, bicameral meeting earlier in this process. The version of VAWA II in this conference report was negotiated behind closed doors in the last minutes before the conference report was filed. Unfortunately, this approach saw additional provisions added and struck that have diminished the final product. One provision of particular concern to me is that on transitional housing.

The previous Senate version of the Violence Against Women Act of 2000, S. 2787, had over 70 co-sponsors. I am one of them. That version included better provisions on transitional housing assistance. It would have been a significant improvement over the original VAWA. This new grant program for short-term housing assistance and support services for homeless families who have fled from domestic violence environments was a priority for me and Vermont, where availability of affordable housing is at an all-time low. Unfortunately, this authorization was re-

duced to one year without my consent. Those involved in the discussions attribute the change to "jurisdictional concerns" of the Health, Labor and Pensions Committee. I look forward to working with Senators JEFFORDS, GREGG and KENNEDY next year during reauthorization of the Child Abuse Prevention and Treatment Act to extend the authorization of this important program. We should all be concerned with providing victims of domestic violence with a safe place to recover from their traumatic experiences. In addition, I would like to see more support for groups that address the need for funding for under-served populations.

There are positive things to come out of the revised version of VAWA II. I am pleased that we were able to cover "dating violence" in most of the provisions and grant programs. The Bureau of Justice Statistics report indicates that more than four in every 10 incidents of domestic violence involves non-married persons, and further, that the highest rate of domestic violence occurs among young people aged 16-24. It is crucial that we authorize prosecution of their offenders. We cannot ignore this increasingly at risk segment of the population. The House-passed version of VAWA II had contained such provisions and I support them as they have been incorporated into the conference report.

In 1994, we designed VAWA to prevent abusive husbands from using control over their wives' immigration status to control them. Over the ensuing six years we have discovered additional areas that need to be addressed to protect immigrant women from abuse, and have attempted to do so in this legislation. VAWA II will ensure that the immigration status of battered women will not be affected by changes in the status of their abusers. It will also make it easier for abused women and their children to become lawful permanent residents and obtain cancellation of removal. With this legislation, battered immigrant women should not have to choose to stay with their abusers in order to stay in the United States.

I am pleased that we have taken these additional steps to protect immigrant women facing domestic abuse in the United States. I would also like to point out the difficult situation of immigrant women who face domestic violence if they are returned to their home country.

Numerous cases have arisen recently in which women who fear being killed by abusive spouses in their native lands were denied claims for asylum, despite the fact that the police in those countries do not enforce what limited laws apply to domestic violence. There are additional cases in which women who fear for their lives due to ingrained social practices—such as "honor killings" in Jordan, in which

families have female relatives killed for "dishonoring" them—have lost asylum claims. The Attorney General is currently reviewing the Board of Immigration Appeals decision *Matter of R-A-*, which is the precedent on which these later decisions have been based. I have written, along with Senator LANDRIEU and many other of my colleagues, urging the Attorney General to reverse this decision and protect women who face persecution. I renew that request today, and hope that the passage of this legislation will prompt action on this issue as well.

The conference report includes a provision that would require dissemination of sex registry information to colleges and universities. Currently, the Family Educational Rights and Privacy Act (FERPA) applies strict restrictions on the dissemination of information in "education records," but these restrictions are specifically defined to exclude "records maintained by a law enforcement unit" of the school and were created for a law enforcement purpose. Thus, to the extent that campus police get information about registered sex offenders under State law, they are able to use it as they wish. Apparently not satisfied to leave this issue to the States, the conference report would mandate that States provide sex registry information concerning students to colleges and universities where the students are registered.

I see no need to impose a federal disclosure requirement when the States are now free to regulate as they see fit the dissemination of sex registry information to schools and campus police, who may use it to protect the safety of those on campus. No one is opposed to taking adequate safety measures regarding sex offenders on campus. My concern has to do with unnecessary federal mandates when the States are perfectly capable of addressing the issue.

VAWA II includes a provision to enhance protections for older women from domestic violence and sexual assault. Last year I introduced the Seniors Safety Act, S. 751, which would enhance penalties for crimes against seniors. This provision in VAWA II is an important complement to that legislation and I am pleased this provision has been able to generate wide support.

VAWA II would also help young victims of crime through funding for the establishment of safe and supervised visitation centers for children in order to reduce the opportunity for domestic violence. Grants will also be extended to continue funding agencies serving homeless youth who have been or who are at risk of abuse and to continue funding for victims of child abuse, including money for advocates, training for judicial personnel and televised testimony.

Many of the most successful services for victims start at the local level,

such as Vermont's model hotline on domestic violence and sexual assault. VAWA II recognizes these local successes and continues grant funding of community demonstration projects for the intervention and prevention of domestic violence.

The original VAWA was an important and comprehensive Federal effort to combat violence against women and to assist the victims of such violence. Passage of VAWA II gives us the opportunity to continue funding these successful programs, to improve victim services, and to strengthen these laws so that violence against women is eliminated. I am pleased that we were able to find a way to get this considered and passed. I deeply regret that we have not been able to do so in stand-alone legislation or before VAWA expired last month.

The conference report also includes the Justice for Victims of Terrorism Act. I commend Senators LAUTENBERG and MACK for working with the Administration on this consensus legislation which addresses serious policy concerns raised by prior versions of the bill. This measure has been cleared for action and passage by unanimous consent for some time by all Democratic Senators. In my view, it should have been passed in its own right a long time ago.

The Justice for Victims of Terrorism Act addresses an issue that should deeply concern all of us: the enforcement of court-ordered judgments that compensate the victims of state-sponsored terrorism. This legislation has the strong support of American families who have lost loved ones due to the callous indifference to life of international terrorist organizations and their client states, and it deserves our support as well.

One such family is the family of Alisa Flatow, an American student killed in Gaza in a 1995 bus bombing. The Flatow family obtained a \$247 million judgment in Federal court against the Iranian-sponsored Islamic Jihad, which proudly claimed responsibility for the bombing that took her life. But the family has been unable to enforce this judgment because Iranian assets in the United States remain frozen.

The conference report that the Senate passes today will provide an avenue for the Flatow family and others in their position to recover some of the damages due them under American law. It will permit these plaintiffs to attach certain foreign assets to satisfy the compensatory damages portion of their judgments against foreign states for personal injury or death caused by an act of torture, extrajudicial killing, aircraft sabotage, hostage taking, or the provision of material support or resources for such an act. It will also permit these plaintiffs to recover post-judgment interest and, in the case of claims against Cuba, certain amounts

that have been awarded as sanctions by judicial order.

I am also pleased that this measure also includes a Leahy-Feinstein amendment dealing with support for victims of international terrorism. This amendment will enable the Office for Victims of Crime to provide more immediate and effective assistance to Americans who are victims of terrorism abroad—Americans like those killed or injured in the embassy bombings in Kenya and Tanzania, and in the Pan Am 103 bombing over Lockerbie, Scotland. These victims deserve help, but according to OVC, existing programs are failing to meet their needs. Working with OVC, we have crafted legislation to correct this problem.

The Leahy-Feinstein part of this measure will permit the Office for Victims of Crime to serve these victims better by expanding the types of assistance for which the VOCA emergency reserve fund may be used, and the range of organizations to which assistance may be provided. These changes will not require new or appropriated funds: They simply allow OVC greater flexibility in using existing reserve funds to assist victims of terrorism abroad, including the victims of the Lockerbie and embassy bombings.

This provision will also authorize OVC to raise the cap on the VOCA emergency reserve fund from \$50 million to \$100 million, so that the fund is large enough to cover the extraordinary costs that would be incurred if a terrorist act caused massive casualties, and to replenish the reserve fund with unobligated funds from its other grant programs.

At the same time, the provision will simplify the presently-authorized system of using VOCA funds to provide victim compensation to American victims of terrorism abroad, by permitting OVC to establish and operate an international crime victim compensation program. This program will, in addition, cover foreign nationals who are employees of any American government institution targeted for terrorist attack. The source of funding is the VOCA emergency reserve fund, which we authorized in an amendment I offered to the 1996 Antiterrorism and Effective Death Penalty Act.

Finally, the provision clarifies that deposits into the Crime Victims Fund remain available for intended uses under VOCA when not expended immediately. This should quell concerns raised regarding the effect of spending caps included in appropriations bills last year and this. I understand the appropriations' actions to have deferred spending but not to have removed deposits from the Fund. This provision makes that explicit.

I want to thank Senator FEINSTEIN for her support and assistance on this initiative. Senator FEINSTEIN cares deeply about the rights of victims, and

I am pleased that we could work together on some practical, pragmatic improvements to our federal crime victims' laws. We would have liked to do more. In particular, we would have liked to allow OVC to deliver timely and critically needed emergency assistance to all victims of terrorism and mass violence occurring outside the United States and targeted at the United States or United States nationals.

Unfortunately, to achieve bipartisan consensus on this provision, we were compelled to restrict OVC's authority, so that it may provide emergency assistance only to United States nationals and employees. It seems more than a little bizarre to me that the richest country in the world would reserve emergency aid for victims of terrorism who can produce a passport or W-2. I will continue to work with OVC and victims' organization to remedy this anomaly.

I regret that we have not done more for victims this year, or during the last few years. I have on several occasions noted my concern that we not dissipate the progress we could be making by focusing exclusively on efforts to amend the Constitution. Regrettably, I must note that the pace of victims legislation has slowed noticeably and many opportunities for progress have been squandered. I look forward to continuing to work with the Administration, victims groups, prosecutors, judges and other interested parties on how we can most effectively assist victims and provide them the greater voice and rights that they deserve.

This is the third good part of the package that comes before the Senate today. The sex trafficking bill, VAWA II and the Justice for Victims of Terrorism legislation could each have passed in its own right. The are being bundled together because the Republican leadership refused to proceed to consideration of VAWA II or the victims legislation and this session is drawing to a close. We are already passed the sine die adjournment date that had been set by the Majority Leader. We are already into the second or third or fourth continuing resolution needed to keep the government operating while Congress completes appropriations bills that should have been enacted in July and September.

While the conference report contains many provisions which I support, it also has been used as a vehicle for some pet Republican legislative projects that I do not endorse. I refer specifically to "Aimee's law" and the "Twenty-First Amendment Enforcement Act."

The conference report contains a legislative proposal called "Aimee's law," which, though well intended, will not serve this country well. We all shudder when a violent offender is incarcerated for an insufficient length of time only

to be released and claim another victim. Let us be clear: everyone agrees that serious violent offenders should serve appropriate and sufficient incarceration. Yet, Aimee's law is not the way to pursue this goal. Neither Aimee's law or Congress can accurately assess with one hundred percent accuracy which offender will be a recidivist and which offender will not. This proposal has myriad practical implementation problems that will make this law a headache to administer for the States and the Department of Justice, without living up to its promise of stopping future tragedies.

Ironically, Aimee's law will adversely affect the States' ability to fight crime. By taking law enforcement funds away from the states, the legislation will in effect reduce the states' capacity to fight crime. The Pennsylvania Secretary of Corrections has advised that "Pennsylvania, along with many other states, plans for the use of federal law enforcement money years in advance. Excessive penalties have a high potential to interfere with states' abilities to keep violent offenders—including those who have committed Aimee's law crimes—incarcerated for longer periods of time."

Specifically, this proposal would allow a state to apply to the Attorney General for reimbursement of the costs for investigation, prosecution and incarceration of prisoners who were previously convicted in another state for murder, rape or a dangerous sexual offense. The source of the reimbursement funds will be from Federal law enforcement assistance funds that would otherwise be paid out to the state that convicted the individual of the prior offense and released that offender.

Last year, this proposal was adopted as an amendment to S. 254, the Juvenile Justice bill. Even then I expressed grave reservations with the language and complications contained in the legislation. Specifically, I noted that the proposal was "extremely complicated and can create a great deal of problems with some States" and offered "to work more on the language to see if there are areas of unnecessary complication that could be removed." (RECORD, May 19, 2000, p. S5526). Unfortunately, the juvenile justice conference, in which the language of this proposal could have been refined, has failed to meet for over a year. Apparently, the Republican leadership intends to end the Congress without ever completing work on the juvenile crime bill.

By any stretch of the imagination, the costs of Aimee's law outweigh its promised benefits:

First, Aimee's law penalizes states' law enforcement not for their own actions, but for the actions taken by judicial and corrections officers resulting in the release of a defendant who has not served the incarceration period re-

quired under Aimee's law. Indeed, defendants who escape from jail without serving their full term and commit subsequent crimes could subject the state in which they committed their initial crimes to decreased federal funds otherwise used to help law enforcement.

Second, Aimee's law requires the annual collection, maintenance and reporting of criminal history for violent offenders and covers not just those offenders currently in the system but any such offender no matter how long ago that offender was convicted, served time and was released. This provision alone demands an enormous investment of time and money, neither of which the legislation provides, to build the criminal history database necessary to implement the new law. As the Department of Justice has pointed out, "[s]ince no time limit is imposed between the prior and subsequent convictions, the system would require electronic criminal records that do not now exist and would be very expensive to accumulate." This "would require the establishment of a major national data center to collect and match state records" and constitutes an "unfunded mandate."

During a colloquy in the House on October 6th, Congressman CONYERS asked a House sponsor of Aimee's law whether it was the drafters' intent that Aimee's law shall apply prospectively, that is only to offenders whose first sentence for a covered offense occurs on or after the effective date of this law, January 1, 2002, and the sponsor responded affirmatively. Yet, the law remains murky on this point since the effective date may be construed to apply only to the time when states may make applications for reimbursement, not to when the offenses occurred. We have two years before the effective date to clarify this point, and others, in this problematic law.

Third, while Aimee's law would exempt certain States from application of the law, those exemptions are predicated, in part, upon "the average term of imprisonment imposed for that offense in all States." The Pennsylvania Director of Corrections has pointed out that "[t]here is no record of what the national 'average. . .' is for crimes covered in this language. Further, if such an average existed, it would continually fluctuate, guaranteeing that there would always be some states out of compliance."

Fourth, Aimee's law adopts offense definitions that are unclear and fail to conform to the offense definitions found in the federal criminal code or to the standard legal terms used in state codes making it difficult to enforce Aimee's law across state lines.

The National Governors' Association has repeatedly registered its disapproval of Aimee's law as "onerous, impractical and unworkable." Con-

sequently, States may simply agree among themselves not to file the applications with the Attorney General required to obtain reimbursement. Indeed, such an application might trigger a retaliatory review of the applicant's own record of released defendants and result in reduction of important federal funds. As a consequence, states may view invocation of Aimee's law reimbursement provisions as a risky proposition.

In short, Aimee's law is an empty promise that may make good fodder for 60-second campaign spots but will do nothing to continue the progress we have made over the last eight years to reduce the violent crime rate or to truly help crime victims.

Senator HATCH has insisted that the "Twenty-First Amendment Enforcement Act" be included in the conference report, despite the fact that the conference met September 28th, and expressly rejected inclusion of this proposal in the conference report. It was rejected by the Senate conferees and the House conferees went so far as to adopt the position that no extraneous legislation would be added to the sex trafficking provisions. Nevertheless, the conference report contains Senator HATCH's bill, which amounts to a double whammy—it is unnecessary and dangerous to e-commerce. The purported goal of this legislation is to enforce state liquor laws. The approach of this legislation sets a dangerous precedent by erecting barriers to interstate and electronic commerce.

Specifically, the bill would permit the enforcement of state liquor laws in Federal court. This expansion of the jurisdiction of the Federal courts is not warranted. State attorneys general are already enforcing their state liquor laws in state courts—whether the alcohol was brought over the Internet or over the counter at the corner store. The Internet has not changed the enforcement of state liquor laws.

This year, for instance, the Utah Attorney General successfully enforced that state's liquor laws against an out-of-state direct sales shipper of alcoholic beverages. That case resulted in fines of more than \$25,000 and guilty pleas by an out-of-state direct shipper to state law counts of unlawfully importing alcohol and selling it to a minor.

Indeed, the Utah Attorney General, Jan Graham, declared: "This case represents a significant win for Utah. No longer can retailers claim that we have no authority over illegal transactions that occur outside of the state. If you're shipping to a Utah resident, we can and will prosecute you."

This legislation is using the Internet as an excuse to impose a Federal fix for a problem that is already being solved at the state level. Whatever happened to Federalism? In fact, the National Conference of State Legislatures opposes this legislation, calling the bill

"an overreaction to a situation which can be reconciled among the states and not in a federal court."

Skeptics rightly are concerned that some may be using the Internet as an excuse to protect the decades-old distribution system for wine and other alcoholic beverages. Although the Internet has not changed state liquor law enforcement, it has opened up the wine and beer market to new consumer choices and competition.

With the power of electronic commerce, adult consumers now have the freedom to choose from a rich assortment of different wine and beer products—from small wineries to nationwide brewers in America or any other country in the world.

We should be embracing this free market and open competition. Competition in the free market is the American way. But instead some wine and beer wholesalers want to use this legislation as a protectionist ploy to keep their present distribution system, which effectively locks out small wineries and micro-breweries from ever getting their products on a store shelf. Mothers Against Drunk Driving and the National Conference of State Legislatures have noted that this Federal legislation is nothing more than an attempt to use the Federal courts in a disagreement between wholesalers and small independent wineries and breweries.

On August 12, 1999, The Wall Street Journal wrote about this legislation: "This is a bad bill, with dangerous consequences not only for alcohol but for the future of e-commerce and other cross-state transactions." I wholeheartedly agree.

The Department of Justice has warned Congress in relation to legislation affecting the Internet that: "[A]ny prohibitions that are designed to prohibit criminal activity on the Internet must be carefully drafted to accomplish the legislation's objectives without stifling the growth of the Internet or chilling its use." This bill fails that test. It is not carefully crafted. In fact, it is not even needed. It also could chill the use of the Internet as a means of promoting interstate commerce.

I will vote in support of this conference report because the provisions on sex trafficking, VAWA and justice for victims are proposals I endorse. I do so with profound regret with the process and that the majority insisted on including Aimee's law and the internet alcohol bill that are not well considered. They are the price that we pay for making progress here today. I will work to see if we can limit their damage.

In closing, I wish to thank the conferees and their staffs who showed courtesy to me and mine. In particular, I thank Karen Knutsen of Senator BROWNBACK's staff and Mark Lagon and Brian McKee of the staff of the Foreign

Relations Committee. I thank Nancy Zirkin of the American Association of University Women and Pat Reuss of the NOW Legal Defense and Education Fund for their efforts on behalf of VAWA II. This has been a difficult matter at a difficult time that is being concluded as best we can under these circumstances in order to enact the sex trafficking legislation, VAWA II and the victims bill for all the good they can mean.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent that the distinguished Senator from Kansas be recognized to make a unanimous consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the votes occurring relative to the Thompson appeal as provided in the consent agreement this body agreed to on October 6, 2000, occur at 4:30 p.m. today, with adoption of the conference report to occur immediately following that vote as provided in the consent agreement.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BROWNBACK. Mr. President, for the information of Members, in light of this agreement, the next two votes will occur at approximately 4:30 p.m. with the Thompson appeal vote occurring at 4:30 and the conference report vote occurring immediately thereafter.

#### RECESS

The PRESIDING OFFICER. The Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:49 p.m., recessed until 2:16 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Ms. COLLINS).

The PRESIDING OFFICER. The Senator from Utah is recognized.

#### ORDER OF PROCEDURE

Mr. HATCH. Without losing my own time, I yield 5 minutes to the distinguished Senator from Vermont off the leader's time, 2 minutes from the distinguished Senator from Minnesota off the leader's time, and I understand the distinguished Senator from New York desires 5 minutes off the minority leader's time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Vermont is recognized.

(The remarks of Mr. JEFFORDS are located in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. Under the previous order, the Senator from New York is now recognized.

#### TRAFFICKING VICTIMS PROTECTION ACT OF 2000—CONFERENCE REPORT—Continued

Mr. SCHUMER. Madam President, I thank you as well as the chairman of our committee, Mr. HATCH, and the ranking member, Mr. LEAHY, for yielding me a brief amount of time to talk on the Violence Against Women Act.

I commend our leader on Judiciary, Senator LEAHY, for his diligent work on so many of the issues contained here. I know there are some differences on a few. I commend Senator BIDEN, who has worked long and hard on this issue for many years. We all owe him a debt of gratitude for his strenuous efforts. I also thank the Senator from California, Mrs. BOXER. When Senator BIDEN first introduced the bill in the Senate, Senator BOXER, then Congress Member BOXER, was the House sponsor; I was the cosponsor. When she moved on to the Senate, I became the lead House sponsor and managed the bill as it was signed into law.

When it was first enacted in 1994, the Violence Against Women Act signaled a sea change in our approach to the epidemic of violence directed at women. Until the law, by and large it had been a dirty little secret that every night hundreds of women showed up at police precincts, battered and bruised, because they were beaten by their spouse or their boyfriend or whatever. All too often they were told by that law enforcement officer, who really had no education, no training, or no place to send the battered woman: Well, this is a domestic matter. Go home and straighten it out with your husband.

So deep were the traditions ingrained that it was very hard to remove them. In fact, the expression "rule of thumb" comes from the medieval law that said a husband could beat his wife with a stick provided that stick was no wider than his thumb.

The Violence Against Women Act took giant strides to take this terrible, dirty secret, bring it above ground, and begin really to cleanse it. The new law acknowledged that the ancient bias showed itself not just in the virulence of the perpetrators of violence but in the failure of the system and the community to respond with sufficient care and understanding. Shelters grew, police departments were educated, the VAWA hotline—which we added to the law as an afterthought, I remember, in the conference—got huge numbers of